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THE RELEASE REPORT ON DRUG OFFENDERS & THE LAW

SMITH

ROLINE COOK
RUFUS HARRIS

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CAROLINE COON was born in London in 1945. She was brought up on a farm and when she was five went to the Legat School, which is a co-educational school for Russian ballet. Five years later she went to the Royal Ballet School until she was sixteen. After several years of earning her living as a waitress, factory worker and model, she went to secretarial college during the day, and took "A" level Art at evening classes enabling her to go to Northampton College of Art in 1964. A year later she was accepted at the Central School for Art and Crafts, London, but left before completing her diploma in Fine Art as Release was taking up the major part of her time.

RUFUS HARRIS was born in 1946 and educated at Brighton College. He then studied painting at St. Martin's School of Art for a year and subsequently at Kingston College of Art, but did not complete the course there because he preferred to work independently. After an attempt at splendid isolation in a caravan in a sheepfield in North Wales, he returned to London in May 1967 with the intention of leaving again as soon as possible, but found it impossible to do so after Release started in July.

THE RELEASE REPORT ON DRUG OFFENDERS AND THE LAW

To
Everyone on the scene who has supported
and given to Release, especially at U.F.O.
and Middle Earth

The Release Report on Drug Offenders and the Law

CAROLINE COON & RUFUS HARRIS
With an Afterword by Michael Schofield

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Part One

CHAPTER ONE

RELEASE

Release was established to help those who have been arrested for alleged drug offences. The following report is derived from observations made and results achieved in the first twelve months of work.

The most important aspect of Release's work has been to ensure that young people who have been arrested for drug charges are legally represented. Once we have been contacted by an arrested individual, it is possible for us, in turn, to make contact with friends and relations of that person. Advice is also given on individual rights regarding searches, arrests, court procedures and the interpretation of the law. Financial assistance is provided in those cases where legal aid has been refused, and we have also given more general advice or information to whoever has asked for it. We have acted as a liaison for people needing medical attention, work or accommodation. If we are unable to provide direct help, we have been able to refer individuals to the place most appropriately set up to provide the necessary service.

It has become increasingly obvious to us how important advice is to people arrested for drug offences when those in authority at lower levels are unco-operative and those in more senior positions lack the understanding necessary to deal with the problems of drug use.

A twenty-four hour telephone service has been in operation since June 1967 which enables us to help anyone in urgent need of our advice or services at any hour of the day or night. A twenty-four hour emergency service is necessary because the police tend to make arrests for drug offences in private homes at night. This intrusion heightens

the shock effect that the sudden appearance of numbers of police officers has upon any individual. As a result, many people find themselves in prison on remand before they fully realise what has happened, having found it almost impossible to make contact with friends or family after being arrested.

Making a telephone call from a police station following an arrest is difficult enough, let alone in the middle of the night! It may be very difficult to make a second telephone call if the first person telephoned is unobtainable. Therefore, we felt it would be easier for an arrested person who has been taken to a police station to have a universal number available, rather than having to think of someone to call who would probably be disturbed in the early hours of the morning.

CHAPTER TWO

ARREST PROCEDURES

It is not really necessary for the police to have search warrants. There is very little anyone can do on opening the door to five policemen, a policewoman and dogs. If the police are there, they will come in. In fact, the police can usually do exactly what they want:

> "... Having just got out of bed, four policemen and one policewoman just walked straight into my room. ... As to how they entered the house in the first place is not known, the front door is always kept locked but there is a side window. ... They started to search the place. We objected on the grounds that they had no search warrant. P.C. – asked if we had anything to hide and if not, why should we object."

There is no way, practically speaking, to keep the police from stopping and searching people, or preventing them from entering any premises and searching.

By holding a person incommunicado, the police can usually achieve the conviction which they aim for by making an arrest. If it seems likely that one charge alone will not ensure conviction, another minor charge can be added. This can be done after the initial arrest and the defendant will not know about it until he is in the dock.

Under the terms of the Dangerous Drugs Act 1967, Secton 6 (1), the police now have the power to search anyone they suspect of carrying drugs. This means that young people with long hair may be stopped and searched for really no other reason than they are perceived as being of a suspect generation. Their pockets will be gone through and, if the police are not convinced of their innocence, they will be taken to the police station for a more thorough search. Any sign of reluctance or lack of co-operation may result in charges of "obstructing the police in the course of their duties." If any substances are found which the officer suspects are illegal drugs, the persons will be charged even before the substances have been identified by an analyst. This is the usual procedure which is followed in London, where the police seem to want to charge a person as quickly as possible, contrary to the provisions of the law. In the provinces, the correct procedure is followed more often.

In the Dangerous Drugs Act 1967 and Drugs (Prevention of Misuse) Act 1964, it is made quite clear that, except under special circumstances, a person should not be arrested and charged with a drugs offence until the substance has been identified by analysis and found to be scheduled.

Most drug-related arrests are for being in "possession" of a dangerous drug. We were very pleased when Lord Chief Justice Parker said in May 1968, "It seems nonsense to me to say that I have custody of a nice steak I have just consumed." Before this judgment, people were charged with

being in possession of a drug on the day of arrest when, in fact, only traces of a drug had been found in blood or urine. Now the police can still arrest a person for "internal" possession on the evidence of a blood or urine analysis, but they have carefully reworded the charge and do not specify the exact time that the offence was alleged to have been committed.

Unless there is absolute proof of distribution or conspiracy to distribute, the police are satisfied to merely imply this during the court appearance, rather than make out a separate charge. If there is no concrete evidence that an individual is "pushing" (supplying others with illegal drugs), a police officer can draw attention to a substantial amount of a substance possessed by the arrested individual, more than an individual is thought to need for himself. A magistrate may thus be led to believe that the arrested individual is "pushing" drugs. Also, any unusual amount of money which can not be readily explained can be used to place a person's character in question. It may be necessary to produce a bank withdrawal slip to prove that the money has not been obtained from a business transaction in drugs. If no reasonable explanation is given, a magistrate may be more severe with this defendant than he would be if it appeared that the defendant possessed drugs only for his own personal use.

We had thought that a large percentage of the people contacting us would claim to have been "planted". We were mistaken, as only a very small number of our cases made this allegation. Nearly all those who did allege "planting" appeared to be absolutely correct. It should be well established by now that the method of "planting" is used by the police to obtain convictions. Two of our cases described typical methods of "planting" used by the police:

". . . At about 11.15 a.m. two detectives called to search my house. One of these began talking to me while the

other detective searched my room. I was watching them both at the same time, when I saw one of them drop a piece of gold foil paper, and pick it up again. He said, 'Hallo, what's this then?' and he started to unwrap the piece of gold foil."

" . . . After producing a search warrant which said they were looking for cannabis resin, as Mr. — was positive that he and the house were clean (free of illegal drugs), he let them both in. On entering the house a policewoman went straight upstairs into the child's bedroom and throwing clothes and toys about claimed to have found four pieces of hash in amongst the child's clothes."

The writer then described the police "glancing" around the front room, making a "superficial search" of the bedroom, and ignoring the kitchen and its cupboards. It was also claimed that the police had told others that they would "get him (the defendant) whatever happened". It seems a just conclusion in this case that there was a "plant".

Additionally, threats are made to persons with previous convictions on drug charges, who are then used as bait to get suspects to arrive at specified locations carrying drugs or to purchase drugs. One of our cases arranged to meet a contact through a telephone call. When he arrived at the place specified, he was approached by two policemen with warrants and was then arrested (case 12, p. 94). Another, arriving at a meeting place to find his contact missing but the police waiting, was then subjected to pressures on the part of the police to set up the same type of trap or be accused of "pushing".

Another tactic is the use of warrants to enter houses on pretexts other than to search for drugs. The "plant" can then be arranged.

It is almost impossible to prove that a "plant" has taken place as magistrates do not wish to reprimand the police. In a case dismissed because of a lack of substantiating evi-

dence, the magistrate refused to criticise the police for bringing a prosecution. This is understandable. The police forces are already undermanned and already subject to public criticism. If magistrates criticised the police, it would make the recruiting of officers even more difficult.

Lawyers discourage the use of "plant" as a defence, knowing how high the chances are that the case will be lost. They would rather suggest to a magistrate that the police have found it difficult to substantiate their charges, hoping that the case will be dismissed because of insufficient evidence.

"Plants" are most successful where the person "planted" is known to the police through his previous criminal record. The courts tend to assess character on the basis of previous convictions. Someone who has pleaded "guilty" once stands very little chance, especially if undefended, of being acquitted in the case of an unjust arrest. When the question arises as to whether the word of the defendant or the arresting officer is to be taken, the officer has the advantage.

Upon finding an illegal substance, or a substance that is suspected of being illegal, the police are required to take the defendant to the police station where he can be put on "police" bail. This means that he is under obligation to report to the police station on the day specified by the officer investigating the case. The substance seized during search is then sent to a forensic laboratory for analysis. If the substance is proved to be illegal, the person can be charged with the appropriate offence when he turns up for his appointment. If he does not turn up, a warrant can be issued for his arrest. If the substance does not prove to be illegal, no time will have been spent unnecessarily in court. Also, this procedure reduces the possibility of a person being remanded in custody.

It is not uncommon for the police to add the extra "holding" charge, such as obstruction or an offensive weapon charge, to the drug charge in case the drug analysis is returned negative.

Cases have come to our notice of people who have made admissions of guilt because they accepted the police allegations that the substances of which they were in possession were illegal. Subsequent analysis by laboratories showed that the substances were not illegal and the persons innocent. An absurd situation arose in one case. As evidence of the possession of illegal drugs, the police produced:

> ". . . . 2 bottles of Vitamin 'C' tablets, 1 bottle of laxative tablets, two cigarette holders and one tube of quinine, which they told us was on the dangerous drugs list next to heroin."

Far too frequently we have become aware of circumstances in which prisoners are remanded, often in custody, only to be told two or three weeks later that the police were not prosecuting because analysis showed the "drugs" seized were not illegal. These circumstances are allowed, if not encouraged, by statements such as the following:

> "Most powers of arrest may be exercised on reasonable suspicion that an offence has been committed. It is therefor *not* (our italics) essential for the police to have analysed a substance which they suspect to be a dangerous drug before arresting the person possessing it." (Quote by Home Office)

When a person has been charged, he is brought before a court the next morning for a remand. "Remand" means that a case is put off until such time as the police, the court, and the defendant are prepared for the case to be heard. The police cannot proceed with a drugs case until they have had the seized drugs analysed. This means that the first appearance in court on a drugs charge is for a formal remand so that the police may have time to send the substances seized to a forensic laboratory. On the other hand, the police may request remands for other reasons which cannot be helped, but seem absurd miscarriages of justice to the defendants

who must then spend extra time in custody awaiting trial for these reasons:

> "I went to court yesterday but was remanded until 3rd May. Reason being that the other officer was at the Old Bailey giving evidence."

Remands may be requested by both police and defendants. The defendant may tell the magistrate that he wishes to be advised by a solicitor and ask that the trial be put off until a solicitor has been consulted. A magistrate will usually grant this request. A defendant will then either be remanded in custody or on bail.

A magistrate can also ask for a case to be remanded if he wishes to have a probation or medical report on the defendant who is to appear before him.

If the remand is in custody, the defendant will appear in court for a further remand every eight days until the date of the trial is set by the court. This weekly appearance in court is to ensure that no one is held in custody without periodic appearances before a magistrate. It is not necessary to be held in custody during a remand. Bail should be asked for by everyone before a court.

The necessary remand pending analysis of the drugs seized can be a period up to three weeks and sometimes more. When a person, who is unable to find a surety, is told by the police that he will spend three weeks in custody if he does not plead "guilty", the person is more than likely to want the whole business over with, and will plead guilty to that end. People have made incriminating statements to the police as they have been given the impression, directly or indirectly, that only then will they be granted bail. It is regularly reported that the arresting officer has made some approach to a defendant to plead "guilty". The suggestion is also frequently made that the officer can make the sentence lighter. The prisoner cannot know that the arresting officer has no power to affect the sentencing process.

There are occasional cases of threats or physical force being used by the police to gain either statements of guilt or information which might lead to the arrest of other drug users:

". . . he immediately started screaming that I was using ——. When I denied this I was struck around the head and body in a way as not to show bruises. I was asked for the names of people selling drugs. On replying that I didn't know any, the beating up was repeated."

"At the police station there was, as the arresting officer said, 'no bail' and the only two copies of the bail sheet are in Brown's possession and the arresting officer's. The deal is that if Brown gives information (names and addresses) the bail sheet will be destroyed and the affair forgotten about (?) If he doesn't give information (which he isn't going to) the police say that they will do their best to prove he was pushing (the half-ounce was marked into deals) and may be they can get statements to back this up."

Sometimes methods of police persuasion will be more subtle. Two officers will be with the accused in the interrogation room. One will be unpleasant and aggressive to the accused while the other will be silent. When the aggressive one leaves the room the other officer will attempt to gain the accused's confidence through a few derogatory comments about the absent officer. By being friendly and apparently sympathetic, he can encourage the prisoner to talk about his alleged offence and to make incriminating statements.

The police prefer undefended cases and the advantages to them of such cases are obvious. Their evidence is uncontested. The cases involve less work. They are less time consuming and will lead, most probably, to convictions when otherwise the case might have been successfully contested.

A person who has been arrested will be asked by the arresting officer to allow his fingerprints to be taken. The police use fingerprints to check on the existence of previous

convictions. It is not necessary to give fingerprints (see p. 43). However, the refusal to do so will merely lead to further delay and the likelihood of bail being refused. The police will ask the magistrate to order fingerprints to be taken and this request will usually be granted.

All of these circumstances create a situation in which people are held incommunicado – perhaps aware of their rights to a defence and legal aid – but likely to accept any apparently more real suggestion offered by the police. In many cases handled by Release, the police have contrived, often in the guise of being helpful, to make sure their allegations stick. The advantage to the police of immediately charging a person and opposing "police" bail is immediately obvious. The prisoner is completely in their hands. The police are required to inform the prisoner of his rights and allow him contact with friends and solicitor. In fact, the police often find it more convenient not to do so.

The young drug user, without any experience of police methods or legal procedure, will do almost anything to get out of his immediate situation. Once in custody, awaiting trial, it is extraordinarily difficult to find someone able to stand bail. By being kept incommunicado, the prisoner can do little but hope that his friends are in contact with the police. Under these circumstances it is much easier for the police to obtain incriminating statements and to make it difficult for an accused to make arrangements for defence and representation.

A statement should not be taken without the police officer first cautioning the defendant:

> "You are not obliged to say anything unless you wish to do so, but what you say may be put into writing and given in evidence." (See Judges' Rules and Administrative Directions to the Police, Home Office 1964.)

The statement will be taken down in shorthand, typed and given to the defendant to sign. If, on reading it through,

there are inaccuracies, the defendant can refuse to sign the statement; and it will not carry so much weight in court.

The Judges' Rules and Administrative Directions to the Police 1964 lays down the correct manner in which statements are to be obtained, if indeed the defendant wishes to make any statement at all. No pressure should be put upon a person to make a statement, especially if he has not been allowed to telephone anyone for advice.

However, the Judges' Rules do not take into account situations where, unknown to the accused, custody is not obligatory and, in itself, constitutes a threat. Although the Judges' Rules also oblige the police to inform a person of his rights when under arrest, this is rarely done in practice.

> "At this point they took each of us away to make a statement. I kept asking if I could phone a solicitor or a friend, they refused. Unfortunately, they wormed a statement out of me. I really don't know how they did it. I even signed the wretched thing."

There is information printed on the back of a charge sheet, but a person only receives this as he is leaving the police station. Even if a person has been informed briefly and generally of his rights, he still has no clearer knowledge of the use of the particular, specific rights to which he is entitled, especially if he is a first offender. In this situation, he is very likely to make incriminating statements and often to plead "guilty" when the evidence is not substantial enough to procure a conviction.

Once a person has appeared in court and has been remanded in custody, it is almost impossible to arrange bail. On arriving at the remand centre or prison, it is possible to write a letter. This is no solution to the problem for the person who has no knowledge of the system or no one to write to. One of our 'cases' did not apply for legal aid, even after our letter explaining the procedures It was discovered later that he did not know how to write and was too

ashamed to ask for help. (Case 22, page 107.) The police can undertake to contact sureties but their attempts could hardly be described as enthusiastic. The mother of a 17-year-old girl, who had been granted bail but sent to Holloway to await the arrival of her surety, was asked if she could stand £50 bail for her daughter. She refused thinking she had to be able to find the £50 in cash, which she did not have. (Case 2, page 80.)

In order to present himself to the police and court as a surety, a person must be over 21, a householder and have no previous convictions. It is not necessary to give money to the court but a form must be signed which states that if the arrested person does not show up in court on the specified day, his surety can be asked to forfeit to the court the amount of money mentioned on the form.

It is up to the police to agree or object to bail. Their criteria for bail are arbitrary and haphazardly applied:

> "I asked for bail which —— refused on the grounds that none of my friends were suitable in 'his opinion'."

> "I had a surety in court but he was unacceptable. The important thing is that they also had £100 in cash to give to whoever stood for me so that in the unlikely chance of me not appearing who ever stood would not lose anything."

The circumstances in which refusal is most justified and most certain is when the accused has no fixed abode. When objecting to bail, substantial reasons must be given, and the bench will very often overrule police objections if it is thought that a remand in custody is unnecessary. A magistrate may, however, be satisfied by the statement that "We have not completed our enquiries," and comply with police objections to bail. Even if the magistrate does grant bail, the prisoner cannot be released until he has a suitable surety. The police can object to anyone who presents himself in this capacity. Without the co-operation of the police it is

difficult for a person to get bail, even after the magistrate has granted it, because the only contact with the outside world for someone in custody is through the police.

It is not uncommon for friends and relatives to refuse to stand surety because they are under the mistaken impression that money has to be produced immediately. Even if the police have raised no formal objection, it is still within their power to prevent bail.

If a person is remanded in custody pending trial in a magistrates' court, the case will be dealt with within one to three weeks. If the defendant elects to go for trial by jury or is taken before a higher court because of the seriousness of his case, his remand in custody is likely to be a matter of months. In principle, one cannot question the right of the police to object to bail if they have real grounds for believing bail to be wrong in an individual case, but some people have been acquitted after spending several weeks in custody and they have little chance of compensation.

A nineteen-year-old girl was arrested twice in quick succession, the second time while on bail for the first arrest. On the second occasion, she was refused bail. On both occasions, she protested her innocence and elected to go for trial. Bail was granted after an application had been made to a Judge in Chambers. Legal aid does not cover this expense and the application cost over £100. The first charge was dropped at committal proceedings, as was the second a few weeks later. If this girl had not had the support of some organisation, it would have meant that she would have spent some considerable time in Holloway. This is obviously very unjust, and it is up to the police to make sure that such circumstances do not occur.

In order to organise a defence while in custody, a defendant must be alert and intelligent. He must not be panicked or allowed to be intimidated in any way. In many cases, an addict is too ill to do anything. Other young people may be

too inarticulate or too panicked to be able to arrange their defences correctly.

There is no necessity to do anything at all in the police station. After the police know the name and address of their prisoner, they are not entitled to any more information unless it is volunteered. Withholding information is not likely to please a police officer who will consider this behaviour "obstructive" and "unco-operative". A longer stay at the police station can be anticipated if a person has not "co-operated", but a few extra hours in custody can only be inconvenient and uncomfortable. Coping with arrest should be considered purely a pragmatic problem. When in doubt, say nothing!

Adopting this attitude would mean fewer people giving statements to the police which they later regretted.

CHAPTER THREE

LEGAL REPRESENTATION

When a case acually comes before the court, the presence of a lawyer is almost always essential. Everybody is entitled to apply for legal representation under the legal aid system. However, application for legal aid is rarely advised or encouraged by the police. No help is given to people so that they would know how best to fill in a legal aid form, and if a plea of "guilty" is anticipated by the magistrate, he is more than likely to refuse legal aid.

Legal aid should be applied for at the first opportunity. This would be in the first appearance at the magistrates' court. A request for legal aid must be made to the magistrate, as he directs the court procedure and he alone grants the request. Anything that is said in court should always be said to the magistrate, and it is not wise to pay attention to

the advice given by the police. It is more than likely they will have said that a solicitor is not necessary. Our experience proves exactly the opposite is true.

The magistrate's power to make a decision on granting legal aid is quite arbitrary. It is impossible to know beforehand whether or not legal aid will be granted. If there is a refusal, it is legally possible to reapply. A solicitor can also make an application on behalf of the client.

Many people go through a first court appearance not realising they can obtain advice. If they are remanded on bail, it is possible that they will be in contact with someone who knows more about the legal system and will inform them of the importance of consulting a solicitor. When a case has been remanded and there has been no application for legal aid, it is still possible to return to the court to make a specific application for legal aid. However, before doing so, it is advisable to find a solicitor who will accept the case. If the defendant does not know a solicitor himself, one can be randomly selected for him by the Clerk of the Court. Unfortunately for the defendant, this usually means that the solicitor is well known by the court and the police, and he may be respected by them for reasons which are not beneficial to the clients.

One should aim to be in the Clerk of the Court's office as soon as the court opens at 10 a m. The legal aid form can then be completed, the name of a solicitor who is known to be good filled in on the form, and an application made to the magistrate before the remand cases are heard. These are always heard first. If an application is not heard before the court business begins, time will be wasted waiting until there is a convenient interval in court procedure.

If a person is remanded in custody, it is possible to ask the Governor of the prison or remand home for a legal aid form. Once this form has been completed, it is sent to the court where the clerk inserts the name of a solicitor in the space provided. It is also possible to write to a friend out-

side the prison who can get in touch with a solicitor and people in prison can use this means to obtain a solicitor of their own choice.

A person on remand can be visited every afternoon by his friends. Solicitors are able to see their clients as often as is necessary. Nonetheless there is the risk of solicitors not being able to take on the legal aid cases that have been allocated to them, as prison staff are very overworked and the extra work of legal aid forms adding to an already busy day can lead to delays. If a prisoner is worried that letters to courts or friends are being delayed he should ask the Prison Welfare Officer to make enquiries. These considerations indicate that applications for legal aid should not, if at all possible, be delayed until one is already remanded.

We believe that for any crime, which is considered serious enough to bear the penalty of a prison sentence on a first offence, a solicitor should be automatically available to a defendant. People ought not be sent to prison without being legally advised, and magistrates and judges should be prevented from arbitrarily refusing legal aid.

We have had a large number of successes – cases dismissed or cases with results less severe than might have been expected – because of the presence of defence lawyers. When a defendant has someone else to speak on his behalf, whether a probation officer or a lawyer, the judge is presented with more details on which to base his decision. Lawyers are trained to present facts clearly and their presence encourages the police to present more accurate accounts for their allegations. When the police know that a person is being defended, they are more discriminating in the charges they do press. Lawyers can make arrangements with the police and are often successful in getting charges dropped before cases come to court. A lawyer may offer immunity to obstructive police behaviour, shielding his client from the severity which is the most usual treatment received by undefended cases before the courts.

A lawyer may also prevent his client from experiencing the full force of hostile or prejudiced reactions of magistrates who cannot handle drugs cases in a fair manner because of their own personal opinions.

In nearly all the cases we have handled, the police have made it very difficult for people in their custody to make contact with friends or legal advisers.

"I asked for bail. I was refused. I don't know why. I tried to phone you (Release) but was refused."

One can only conclude that this obstruction is deliberate, in order to prevent arrangements being made for bail and defence. A young person in custody who has been denied access to a telephone is much more easily subdued and induced to plead "guilty".

It is disturbing to find how important class still is in the legal system. The chances of a defendant going to prison or borstal are increased if his education is limited and his background working class. We very rarely hear of a respected member of the upper class being charged with a drugs offence. Prison sentences for persons of such a background are even rarer. Young people of the working class are at a definite disadvantage when compared to the situations of their contemporaries of a higher status. They are more easily intimidated by authority and accept the advice of the police more readily. People with a higher education are more capable of speaking for themselves and are better equipped to gain access to a lawyer.

It became obvious to us that the presence of a defence lawyer in court makes it imperative for the police to present an accurate, detailed account of the offence alleged to have been committed. In a few cases, the police did not submit evidence when it was established that the case was to be defended. When the prosecution has proceeded with a defended case, the results were much less severe than were to

be expected if no lawyer had been available to make a plea of mitigation.

Lawyers may also protect defendants from the findings of magistrates who, if not actually prejudiced and biased, are often capricious.

> "To get it over with quick we pleaded guilty, thinking we would get a fine or suspended sentence as it was our first offence. You can imagine how we felt when we were sentenced to six months' imprisonment. I was reading a few cases in the paper about drug offences. It made me really sick when I read about this guy who had been placed on probation for having cannabis. He goes to court again for the same offence and he gets fined £20. I really think it's unfair that one man gets the 'bird' and that another gets a fine for the same offence. I'm nearly convinced now that if a judge doesn't like your face, well, it's just too bad."

If a person is legally represented, his defence can be adequately explained to the magistrate who may then feel that a minimum sentence, probation, absolute discharge, conditional discharge, or a small fine is most appropriate for the particular offence under consideration.

CHAPTER FOUR

SENTENCING AND TREATMENT

Drug cases invariably embarrass the courts. Either the magistrate is intolerant and ignorant:

> ". . . it seems that this magistrate . . . goes by the appearance of the accused before him. . . . The magistrate had been told that I had been out on bail of my own surety and that there was no objection from the police as to bail. He

took a look at us both and said, 'Oh yes, they both look sick. As the Sessions say we shouldn't have drug addicts walking around the streets, remand these two in custody.' So I asked for a chance to speak and told him that I was not a drug addict, and that the person who stood next to me, I hardly knew. He asked the police if we were registered drug addicts. The police told him that the person with me was and that I wasn't but just the same we were both remanded in custody."

Or, if he is basically sympathetic, he is handicapped by the limited means at his disposal. The alternatives on conviction are absolute discharge, conditional discharge, probation, fine, and imprisonment. Minors can either be sent to detention centres or borstal. Additionally, since the Criminal Justice Act 1967 came into operation, it has been possible for magistrates to pass suspended prison sentences. While this has safeguarded the first offender from going to prison, it has had the effect of producing a number of first offenders with suspended sentences who should not have heard the word "prison" mentioned at all. That the option exists now means that magistrates can sentence persons to prison while protecting themselves from the knowledge of their own actions.

The Dangerous Drugs Act 1967 made amendments to the 1965 Act and is mainly concerned with the control of drug addiction, as opposed to drug use. As a result of the amendments, general practitioners are now required to report any patients considered to be dependent on drugs to the Home Office. Prior to the Act, it was left to the police to go through the records of prescriptions held by chemists and report new names to the Home Office. The 1967 Act prohibits any "medical practitioner" from prescribing heroin or cocaine.

The National Health Service Treatment Centres, where doctors are able to prescribe the so-called "hard" drugs,

were set up to take over from the general practitioner, thus providing improved out-patient facilities for addicts. This was the ideal solution. In fact, these facilities have turned out to be inadequate. The doctors are overworked and see their patients for as little as five minutes a week. Little more than regular prescriptions are administered. Many of the hospitals willing to treat addicts are also coping with alcoholics and people suffering from minor and major mental disorders. Frequently, these groups of patients are mixed in the same wards. There is a general shortage of hospital staff and doctors, but the shortage of doctors specialising in the treatment of drug dependency is even greater.

In one of our cases, a boy was given three weeks remand to find a vacancy in a hospital. He was faced with the possibility of prison if he could not find this vacancy. A girl who came to us for help was told by her doctor to "come back tomorrow" as there was no bed in his hospital for her. This was repeated for several weeks. The girl's condition rapidly deteriorated, aggravated by her pregnancy. She was admitted to the hospital having a miscarriage.

Many of the Treatment Centres put pressure on addicts to "withdraw", using in-patient facilities. There is relatively little difficulty in "curing" an addict if he is willing to stay in the hospital to which he has been sent. However, cases of addicts who have been "cured" more than twice have come to our notice. "Cure", in this sense, amounts to gradually reducing the addict's intake so that his body can function without the addictive drugs. Physically, the addict has been brought back to the state in which he existed before becoming addicted. This treatment is of no use because he is still in the same mental condition which led to his drug dependency in the first place.

Drug dependency is usually the outward sign of a deeper personality problem. Unless the patient is given psychiatric and social support, it is almost certain that he will return to drug use. It is too often the case that people returning to

their previous environments after "cure" quickly relapse because of the lack of follow-up treatment. Treatment Centres will not be able to operate effectively until social and medical care are fully integrated.

The police have no idea of how to treat addicts since, quite rightly, they are not trained to treat people who are in mental difficulties. The only medical care that a "junkie" will receive while in the police station will be from the police doctor. This will only be available if the addict is quite clearly in danger of making a nuisance of himself. Police doctors have little experience of drug dependence and may allow the patients to suffer considerably before making any attempts to help them. In some cases, addicts have been left to undergo withdrawal unattended, which can cause suicide or severe permanent injury through attempted suicide.

It is the "junkie" who most needs help but is least likely to get bail or be able to make arrangements to see a solicitor. The addicts arrested often have no fixed addresses and are therefore usually remanded in custody. While it is possible to obtain medical treatment in prison, this is likely to consist of controlled withdrawal with no psychiatric care unless directed at a later stage by the court.

When we know that a person dependent on drugs is being sent to prison or remand centre, we are able to telephone one of the doctors at the prison who can make sure that medical treatment is available and may arrange admittance into the prison hospital. Even then, it frequently happens that an addict is withdrawn in prison and, after three weeks remand, released relatively healthy. But, unless the addict is able to obtain the necessary supportive care while finding work and accommodation, he will return immediately to drugs. Prison cannot be considered an adequate place for the treatment of drug addiction. None of the intense psychiatric care necessary for understanding the problem is available. Even for the non-addicted drug user, the prison environment could not be considered curative.

Magistrate can make a compulsory treatment order under terms set out in the Mental Health Act 1959. It is also possible for treatment to be a condition of probation. If the person does not comply with the terms of his probation, he can be brought before the court for breach of probation. In the majority of drug cases, these measures are not needed and are not desirable in view of the facilities available.

Compulsory treatment can do more harm than good, even in instances in which such measures might be considered necessary. When treatment originates from the jurisdiction of the court, the elements of punishment and compulsion are likely to destroy the addict's motivation to be cured.

When a person has been found guilty of an offence, the magistrate can call for probation, medical and psychiatric reports and further remand the person, either in custody or on bail, while the reports are being obtained. Medical and psychiatric reports are put together after consultation with the appropriate doctors. The probation officer, psychiatrist, or doctor submitting the reports can make direct recommendation to the courts about treatment procedures in a particular case. These reports, however well intended, can never be very thorough but they are frequently used as the bases for sentencing by the magistrate. In the case of probation reports, particularly when drugs are involved, there can easily be a break down of communication between the probation officer and defendant. What is basically the manifestation of the "generation gap" can become the reason for a young person being called sick or criminal. If the probation officer is sympathetic, he can do a great deal to help the person (Case 22, p. 107). If he is unsympathetic, his report can change for the worse the course of a person's life. (Case 15, p. 97.)

"I am pleased that he now recognises a need to be punished for his offences, as this indicates a real move towards

the acceptance of the rules, and therefore the right to hold a place for himself in society in future."

"I would suggest therefore that a prison sentence of at least six months . . . will be the period of stability that he needs and is asking for himself. Hospitalisation at this stage would not, in my view, achieve the necessary purpose, with the added fear on my part that if he were given drugs there, he could be back where he began seven years ago, addicted to barbiturates.'

The 21-year-old boy that this probation officer refers to had been under pressure to "reform" from most of the adults who he was in contact with. After an interview with this probation officer, in which the importance of returning to college was stressed, the boy had felt an overwhelming sense of anxiety and had stolen some sunglasses from a shop counter. The judge accepted the probation officer's recommendation and sent the boy to prison for nine months.

Addicts generally are treated by the police and courts with complete lack of understanding, the central London courts being an exception. At best, the attitude adopted seems to constitute punishment by an enforced withdrawal in a detention centre or prison. It is yet to be realised that to take a person off drugs without finding out why he is taking them is a waste of time and energy. The police and public fail to understand that addiction is a sickness and, further, that even supervised withdrawal in a prison hospital achieves no more than a temporary break of habit. The physical withdrawal from drugs must be followed by a long and careful period of social readjustment which is very difficult for an addict who has found an identity through his relationships with addict-criminal friends, perhaps in prison.

CHAPTER FIVE

SOCIETY AND DRUGS

To most people familiar with the problem, it is obvious that drug misuse is not a criminal matter and should not be dealt with entirely by the police. It is not surprising that the police behave clumsily when, amongst other things, they must deal with sickness as if it were criminal. Even if the police understood the problem, they could only behave more subtly. The drug problem, in this country, will not improve in actuality until the law and the attitudes of the "Establishment" are changed.

The present situation is the same as that of a few years prior to the Homosexual Law Reform. At that time, no directive was given to curb police action against homosexuals, but this became less vicious as society's attitudes changed. Today we have a full-scale "witch-hunt", and this time the "problem" is drug use, with the press whipping up a public hysteria which is, as always, based on ignorance. We have come to the point where rational discussion is almost impossible and the public treats the issue with such hysterical indignation that no one in Parliament wishes to risk his majority by being outspoken or decisive on the issue. The end result is that the "drug problem" is controlled by the police. The only way the police can judge the effectiveness of their control is by the number of arrests they have made. These massive numbers of arrests are ineffective but the police, alarmed by their inability to contain the problem, have only increased their activities, stretching any point of law in order to procure convictions. Last summer, a writer in a small town reported that:

". . . the Authorities then became rather panicky and instituted a D-squad, the first round here . . . the police have a dossier on suspected drug offenders and they raid the same pads (twice a day sometimes) with tedious regularity. The same people are searched . . . from July 10th to July 18th they had *25* convictions (in a small town, remember)."

When a person has been convicted of stealing, he could be called a thief. However, a person who has been convicted of a drugs offence is not necessarily an addict. He may be the casual, occasional user of an apparently harmless substance. Even if he is not an addict, he will be treated as one and subjected to the conventional treatment which our society is still using to deal with the problem. These are methods with which a perfectly healthy person can barely cope and which do irreparable harm to an addict.

There cannot be a more harmful way of treating an addict than to send him to prison. It is this aspect of the law which concerns Release most. As the law stands at the moment, it is probable that every addict will go to prison. Perhaps prison can be avoided for a first or a second offence but the chances are certainly very high for each subsequent offence. The maximum penalty for a drugs offence is a fine of £1,000 or ten years' imprisonment or both.

If a person needs drugs, a criminal reprimand is not going to prevent him from using drugs. If he is an addict, he is mentally and physically sick and needs a great deal of medical care and attention. The use of "hard" drugs is, for an addict, a necessity which may stay with him for the rest of his life, and since adequate facilities for the treatment of drug dependence do not exist in this country, it is likely that almost three-quarters of the people whose cases we have handled once will come to us again for assistance.

One of the most unfortunate aspects of the drug laws is that the people at whom these laws are directed are just

those people who are most in need of careful absorption into society rather than alienation from it.

Most of the people who come to us have broken the law as a result of finding conventional standards of behaviour difficult to accept. Conventional society can be seen to disregard individual fulfilment and directly oppose any attempts made to create new values. When the social environment in which one is brought up is so repressive and highly competitive, it is easy to lose faith in oneself and in so doing lose faith in society as well. Rather than continue the painful process of being considered a failure in conventional society, complete detachment from the society is necessary. But, unless there is a new identity, ideal or ambition to fill the vacuum caused by the detachment, it is impossible to prevent the emotional disillusionment which will follow.

The difficulty with which we are faced at the moment is to change the attitudes of the police, the courts and society so that there is recognition and understanding of the so-called "drug problem" which cannot be solved by the conventional means of criminal reprimand. A continual criminal stigma attached to young people who need "hard" drugs or use "soft" drugs will do irreparable damage and further undermine any constructive efforts that are being made to improve the system which is responsible for the situation.

The police have been left to cope with the problems, thrust upon them by society, with the methods at their disposal. There are only 20,000 Metropolitan police. They are responsible for a very wide range of community services, including traffic duty, protecting VIP's and ambulance escort. Recently, they have had to turn out in force at weekend demonstrations, which has not done much for police/young generation relations. This is the age of protest and, to the police, the pot smoking "hippie" is the epitome of the protest. Protests are directed at all symbols of the authoritarian state and the police are the epitome of authority. It

is not difficult to see why the police are so enthusiastic about arresting "pot" smokers. Nor is it difficult to see why policemen can get badly hurt at demonstrations! The already existing conflict has probably been exacerbated by such publications as "Drugs and the Police" by T. Jones (Butterworth, 1968). This author does little to explain the underlying causes of the "drug problem" and does not mention alcohol or nicotine as causing substances dependence. However, he does describe the degrading and anti-social aspects of drug dependency and stresses the point that it is the duty of the police to help stamp out the problem.

The young drug user is, and will continue to be, an object of victimisation because, as part of a minority group, he is vulnerable in a society whose main concern is to use legal measures on a problem where medical or social solutions are likely to be more successful. This perhaps unconscious victimisation is reinforced by corrupt police methods which themselves create a complex pyramid of problems almost equal to the original problem.

If the police are trying to solve the "drug problem", they should try to do so with more propriety. They should be able to distinguish legal from illegal drugs before they are given powers to search or prosecute "suspects". If this is not possible for all officers, the Drug Squad should be expanded and the power to investigate drug cases be confined to this branch of the police force. At the present time, any member of the police force may stop and search any member of the public. The finding of a pill or two is sufficient evidence to enable a police officer to charge any member of the public with being in possession of dangerous drugs. Whether or not the "drugs" are illegal will be decided at a later date.

At worst the "drug problem" is a new illness which reflects and is reflected in the whole of our society. But it is necessary to recognise that we are a drug-orientated society and that almost all drugs which are today being used (or misused) also provides benefits which are among the privi-

leges of living in this century. As with all new developments, it takes time to find out how to deal with the relatively small problem of misuse. Now that there are drugs which alter states of mind, it is inevitable that people who find themselves permanently dissatisfied with their normal existence will try these in an attempt to improve their condition. It must be recognised that these people are potential casualties of the system that created them.

Because it is illegal, drug taking has become part of all sub-cultural youth movements which provide instant identities. Superficial membership and constant change in cult alliances is encouraged by the press, always in need of fresh "copy", and by other commercial speculators who "cash in" on the latest fashions.

We are still at the stage where debates and attempts to assess aspects of the "drug problem" are filled with the clichés repeated in any discussion about "youth problems". "Too much money", "Too much leisure time", "Not enough respect for the home and upbringing", "Broken homes", "Deprived backgrounds", etc. We seem to be unwilling to accept that tension in the family – either repressed or open – is normal, and because of this, the family is no longer a stable unit to which young people can relate. This presents them with the difficulty of finding identities and evolving new values for themselves. Nearly all current details are material. From the start, we must succeed – academically or commercially. Otherwise we are classified as "second class citizens", with little social status and little chance of acquiring any. Almost all occupations and entertainments are passive. And yet the young are not allowed to criticise the social system that has created such anomalies.

In this structure of material values there is no apparent place for a deeper or more private existence. Because of this, many people are anxious, repressed, undeveloped and find themselves in too few situations where they are able to experience varying degrees of emotional intensity.

We find that the pressure to conform to conventional standards is opposed to the necessity of maintaining our individual identities. The superficial uniformity of our society, which our elders wish to propagate, is in direct conflict with the evolution we see happening around us more rapidly than ever before. And yet, as our need to conform diminishes, we become more aware of our inability to answer the questions which arise as a result of our developing freedom.

A large percentage of the population relies upon television or other mass media for emotional experiences. Many young people who are bored by commercial banality are turning to chemicals as an extension to their everyday experiences. The directions which these experiments take and their consequences, are entirely dependent upon the individuals' needs and the social contexts in which they find themselves.

At present, the only drugs that can be legally consumed for their own sake are nicotine and alcohol. The young (and more liberal older people) have accepted other drugs into their social patterns. Older generations are still blind to the fact that they use drugs to the same extent as their children. Young people are rightly indignant when their parents, drinking alcohol, using tranquilisers or sleeping pills, are shocked to find their children using cannabis.

It is important that we should accept both the advantages and disadvantages of drug taking. This does not seem possible at the moment, because the legal system is unable to deal with the complexities of the problem. The whole issue is involved with subconscious repressions which themselves are not understood. Large numbers of young people today use all kinds of drugs. The Home Office figures of 2,000 known addicts is not even an accurate guide to the scope of the heroin problem. These figures merely state what the Home Office knows. Illegal use of "soft" drugs has become part of life to young people to an extent never anticipated by the "Establishment". The "experts" commenting on the problem usually classify drug users and misusers as part of

the same problem. In reality, not only do different kinds of people use different kinds of drugs for different reasons, but every individual using drugs has a variety of reasons for so doing. It is in this context that we must consider the "drug problem" recognising the ordinary individual merely wishing to widen the range of his experiences, as well as the person dependent on drugs.

To discuss the "problem" more rationally, we must attempt to define the stage when a drug user becomes a danger to other people, to the extent that the power of the state should be brought to bear against him. Can a person be allowed to take personal risks so long as it is only himself that is involved? At what point does a person start misusing any drug? How can drugs be administered so that there will be no black market? Why is there so much fear of pleasure-giving drugs playing a legitimate part in our society?

One would have thought that the medical professions would have been the first group to answer these questions. So far, there has been an uninspired silence. The British Medical Profession could also be held responsible for much of the escalation in heroin addiction, because of their practices in overprescribing and their unwillingness to admit they are unable to cope with the problem. The second Brain Report in 1965 pointed out the danger of allowing general practitioners to prescribe heroin which could lead to heavy overprescription. The Dangerous Drugs Act 1967, which went into effect in April 1968, will have had some effect. It is pointless, however, to single out overprescription as the one fault in the system, when so little is known about the drug problem and so few provisions have been made for adequate treatment.

It is virtually impossible to estimate the exact amount of a drug that an addict needs. A minimal period of three days continual surveillance would be necessary for the most accurate estimate. The facilities for such extensive research are simply not available. Furthermore, addicts are unable to

work. They, therefore, have no security and live an almost nomadic existence. The only security they do have comes from the excess drugs they are prescribed which can be sold. All addicts ask their doctors for more drugs than they personally need. In this way, they help each other out and make small livings selling their excess drugs to other users. It is probable that, if doctors stopped overprescribing, there would be an immediate rise in crime as addicts would have to find other ways of earning money to buy drugs in the criminal underworld. It may be that this fault in medical practices is a small price to pay in exchange for not having an extensive and powerful illegal market in "hard drugs".

It must be accepted that for the moment we have absorbed pleasure giving drugs into our society, but because the side effects of these drugs, including alcohol and nicotine, are not widely known there should be an immediate, rational, informed public discussion about problems of drug dependence. Ideally, this would lead to changes in attitudes of government officials so that new standards may be incorporated into the laws. In our society, legislation must be flexible enough for the maximum benefits to be derived from the correct use of drugs. The law must be able to prevent the ill effects of drug misuse while the individual is allowed the fundamental right to do with himself what he chooses.

CHAPTER SIX

INFORMATION PRINTED ON THE BACK OF A CHARGE SHEET

Form 59 (Reverse)

You ..... are charged with the offence(s) shown overleaf. You are not obliged to say anything unless you wish to do so, but whatever you say will be taken down in writing and may be given in evidence.

If you wish to have legal aid, but cannot afford a solicitor, you may apply for free legal aid personally when you appear before the Court or in writing at any time from now. If you apply in writing, your application must be accompanied by a form of statement of means which is obtained from any police station or any magistrate's clerk's office. If you intend to apply, do so as soon as possible or disposal of your case may be delayed.

Bail

The officer in charge of a police station is authorised to admit to bail any person who has been taken into custody without a warrant, unless the offence appears to the officer to be of a serious nature.

When a person in custody desires to arrange for bail, he or she should inform the Inspector or Sergeant on duty at the station, who will take immediate steps to comply with the request as far as it is practicable to do so. If the persons with whom it is desired to communicate are on the public telephone, Police will enquire by that means unless the accused has any objection; otherwise the police telephone will be used to cause a local Police Officer to make a personal call upon the friend or person named. If, however, the accused person expresses a desire that communication be made by any other means, such as a messenger or postal telegram or cab, and will pay the expenses, Police will take the necessary steps to give effect to the request, if practicable.

Facilities

A person in custody will be allowed to speak on the telephone to his solicitor or to his friends provided that no hindrance is reasonably likely to be caused to the processes of investigation, or the administration of justice by his doing so.

He will be supplied on request with writing materials, and his letters will be sent by post or otherwise with the least

possible delay. Additionally, telegrams will be sent at once, at his own expense.

Finger Prints

Police are authorised to take the finger prints of prisoners at the police station where charged unless the individual concerned objects. And such objection should be made to the Inspector or Sergeant on duty at the station.

Part Two

CHAPTER ONE

LETTERS

Letter from Ashford Remand Centre – May 1968

Peter wrote to us in May from Ashford Remand Centre where he had been sent for a month. Someone in Ashford recommended that he write to us and in his first letter he said he was in contact with a solicitor and had been granted legal aid. He had been refused bail, but was told that he could apply for bail again to a Judge in Chambers. This application is not covered by legal aid and his parents were unwilling to pay a solicitor.

He told us that he had been planted and was, therefore, going to plead "not guilty". This worried us and we wrote back explaining the dangers in taking this stand but saying that if he could give us more information about his case we could give him further advice. He replied with a detailed explanation.

Dear Miss Coon,

Thank you very much for your letter which I received on Saturday. I am still going to plead not guilty to this offence because I was definitely planted. The only way that I can prove that I was not in possession of the drug is to ask the court to look for my fingerprints on the gold foil. There should not be any fingerprints of mine on it because I did not touch it at any time. The circumstances leading to my arrest was that early Friday morning about 3.0 a.m. I left a couple of my friends in a car and went straight home. I arrived home about 3.30 a.m., made myself a cup of tea and started to tidy up my room. I had given my room a good clean out and had nothing except the drugs that were pre-

scribed by my doctor which were methedrine and drinamyl. I was a registered D.A. (Drug Addict) under private consultation.

As I was saying, after I finished cleaning my room which was about 4.0 a.m. I went straight to bed. I woke up at about 10 0 a m. and started getting dressed. My friend called at 10.15 a.m. and we talked until it was time for him to go home - it was about 10.30 when he left. He does not take heroin and I know that he would not have left it there. At about 11.15 a.m. two detectives called to search my house. One of these began talking to me while the other detective searched my room. I was watching them both at the same time, when I saw one of them drop a piece of gold foil paper and pick it up again. He said, "hallo, what's this then" and he started to unwrap the piece of gold foil. Before he finished unwrapping the foil I said, "Oh no, don't try to plant me." When I had said this, one of them said, "If you try and say we planted you I will smash your face in." After this I was a little frightened and so I said, "That is definitely heroin - I don't touch the stuff - it's a killer."

They took me up to Willesden Green Police Station where they charged me with possession of a dangerous drug. They kept me in custody at Harlesden Police Station until Saturday morning when I went to Willesden Magistrates Court. I was remanded in custody for one week for the drug to be analysed. I went back to court on Monday week and was again remanded for another week. I was allowed bail but my mother would not stand surety for me so I was remanded in custody again at Ashford. I applied for legal aid and was granted it. I went to court the next Monday. Just before my case, a girl was charged with a drugs offence and the Judge was in such a temper with this girl that when I went on the Stand he took it out on me, and so my solicitor advised me to take my case to the Quarter Sessions where I would be dealt with fair and square and it would be the jury who would judge me and not the magistrate.

I was still granted bail but not on my own surety. I asked my mother but she thinks that she has to put the money on the table and none of my friends can do it because they are not over 21. I do have a permanent address which I live at with my mother. The address is: –

Well, Miss Coon, I don't think I have missed anything out concerning my case. I have given you all the true facts concerning my case. I hope you could read all of the letter properly as the pen nib was very weak.

Yours sincerely
Peter,

We contacted Peter's solicitor, who was known to us, and it was decided that in the circumstances he should plead "not guilty".

Letter – 23.7.68

Dear Miss Coon,

I thought I would write and tell you that I was acquitted at the Middlesex Quarter Sessions and was discharged afterwards. But I still have a problem – I will try to explain to you what it is. I got a job which I like very much, but at this time all my friends are in prison or borstal houses which left me on my own. My only other friends are junkies so of course I have started back on drugs, to which I am very sorry that I am in this position again. Well, the police were very angry because I was found not guilty of possessing heroin. Well, this one particular police officer has this grudge against me so what he has done is to tell my boss that I was on drugs, so he fired me. So the law wanted to put me in the position of unemployed so that I would start selling drugs.

I am very afraid of being in this position knowing that the police are trying to persecute me. They have also told my mother so I have been asked to leave my home. I have tried to get a pad but I have always been told to come back later on. Well, the police have followed me to these addresses and

told the tenants that I am a junkie and unemployed – so when I have gone back to the addresses I have been told that I can't have the rooms which makes me very disappointed to have to be thrown out of house and home because of the police.

I phoned Civil Liberties the other day and they told me if I get arrested to phone them immediately. I have also been advised to go to the meeting at St. Anne's Church, Soho and discuss my problem with them. I just thought that I would let you know the horrible position I am in at the moment and wondered if there was anything you could do for me or if there was some legal advice you could give me please. I would appreciate it tremendously if you could help me in some way. Hope to be hearing from you soon.

Peter

We wrote back to Peter asking him to come and see us. He came the next week and we tried to assure him that the police were not harrassing him and that if he had proof that anyone was getting at his employers, he should let us know the details.

He needed a doctor but as he was only taking methedrine, which is not considered to be a "hard" drug, none of the Treatment Centres set up by the Ministry of Health were able to treat him. We wrote a letter to Peter's G.P. asking him to refer Peter to the psychiatric outpatients department of the local hospital.

It would probably be a good idea for Peter to move to an area where he was not known by the local police!

* * *

Letter from Brixton Prison – April 1968

Dear Caroline,

I am writing from the above address I wrote to you before but the address I sent the letter to was wrong and the

letter got mislaid. However, Caroline, I got in touch with the Welfare Worker here and he gave me a form and a Release card with your address on and other particulars. Well, anyway Caroline, I have been sentenced to 12 months imprisonment for being in possession of cannabis resin. I had been on remand a very long time but during that time I had never heard of your wonderful organisation until I looked through the copy of "Tit-bits" and came across an article concerning yourself. Dial for help. The unfortunate thing though was that I had only four days left before I appeared in court and I told a fellow also on a drug charge, did he know of your address and he gave me an address in Holland Park and I just had double time to write out to you asking for help, but alas! I had got the wrong address as I mentioned before and I was helpless in court. I applied for free legal aid during my remand time but I got a letter back saying that I had been turned down and I was very upset over this knowing that I would be facing a man at Marlborough Street Court who is prejudiced against drugs, especially cannabis and would not hesitate in the least to send a man to prison.

Anyway Caroline, while I am detained here, I have no-one to write or visit me and it is very depressing here with no-one to write or visit me and I would be grateful if you would send me one of your volunteers of your organisation, or perhaps yourself, that is if you are not too busy at the moment and if so I would be very grateful if you could put pen to paper and let me know if you could send someone along to have a talk with me so that they can get a picture – only as you said in your article that you have a lot of letters from cranks but I would like to make it quite clear that I am not of this type. I am aged 21 from London, but have very few friends here.

I take pot at weekends or when I'm depressed – it helps me along in life – a kind of escape from life. Well anyhow

Caroline, if your organisation can find someone who would like to visit drug offenders who have no visits at all, I would be very much grateful if you would let me know or as I say, send someone to see me. My release day by the way is the 1st of October 1968 and I have five months of my sentence left to do and it would be very nice to have someone to talk to and discuss my problems to, especially if it were someone of my own age group, male or female, but preferably female, if understanding. I really feel as though I am filling in a reply for a pen pal advertisement, but I think you will be able to understand me with finding a job etc. There is a Welfare Service here but the kind of work they get you, as far as I know, is not very hot. However, the accommodation I will get from here is not too bad I am told. I have also sent you a visiting order and have put it in your name, as I do not know anyone else in your organisation. I thought it better to put your name on the V.O. However, if you send a volunteer down instead of yourself it will have to be a female for the time being as the visiting order I am sending is made out to a girl, and it has to be shown at the gate on admission.

I am very sorry to be a burden on you like this Caroline and I hope you don't think me stupid to go rushing into things like this at such short notice and also I truly hope that you do not think that I am taking advantage of you like this, only one needs to do something when you're cooped up in here so please forgive me if I sound as though I am a long lost soul. By the way, I forgot to mention that the visits are 1.0 p.m. to 4.30 p m. and is half an hour. Mondays to Fridays closed visits and Saturdays open visits. I would be very much grateful if you could acknowledge this letter please and let me know if it is possible to send someone.

Your obedient servant.

Niel

2. April 1968

Dear Caroline Coon,

I received your most welcome letter on the 23rd April and I am very grateful for it thank you very much Caroline. I am applying for a Solicitor's letter here, so that I can write one to one of your solicitors for advice. I have let the governor here know of my appeal but he said that my time for applying for an appeal was finished, and I explained to him your letter about a solicitor's opinion regarding my case, and as you say, once I write off to the solicitor and get the inquiry started, there is a possibility that I could get extended time on appeal time, but I have to have good grounds and I think I have, so once I get a reply from the solicitor saying that I have good grounds, especially the things I was not told about and was entitled to.

Well, anyhow Caroline, I am hoping everything will turn out for the best. I found out after Caroline that the V.O. I sent was delayed going out but it eventually was sent out, but if, however, it was mislaid, then someone could come along and visit me without a V O. and tell them at the gate, the V.O. was sent out from here but got mislaid and they will check and find that it was sent out as it goes on record here.

By the way Caroline, you can have two friends to accompany you on a visit I did not know this at the time but on the V.O. it permits three people. So Caroline if you know anyone who would like to visit me I would be glad to hear from you, or they could come any time except Sunday without you having to write to let me know but I will leave it to your discretion. The sentence I received is as you say a real drag, it's just locking up and unlocking, to be quite honest. I can't see the point of putting a person in a place like this as it is one long depression from beginning to end. But a person cannot expect the best of everything in these places. There are a great deal of drug offenders here all waiting to

go to court and most of them, the hardened ones, are on cold turkey.

In my own personal opinion they should be kept in outside hospitals under supervision because the strain on a person's mind waiting to go to court is no joke as you probably know. Well Caroline you will accept my apologies I hope regarding my writing as the fact is that the pen I'm using is not very good and I have to keep shaking it so that I can get ink to run through the tube, so I hope you can understand it. I will write to the solicitor on Friday once I get my letter, as you have to make an application for a solicitor's letter, but that will come on Friday as I have mentioned.

Well Caroline, I'm afraid I must close now as it's time for lights out. If you have any magazines or reading material that you are going to throw out I would be very grateful if you would forward them on to me if it is not too much trouble, and I hope to hear from you in the meantime. Well Caroline, my best wishes to you and your organisation and I hope that your friends will increase as time goes by as there are lots of people in the same predicament as myself – also I promise not to be a pest to you and hope that I'm not being a burden to you, especially knowing that you are so busy and have a lot to do. If by the way, the solicitor does think my case fit for appealing, I will send off straight away for legal aid, and I should put the solicitors name on my legal aid form in the meantime I will find out all about this legal aid even though they can still refuse me it. I will also write and let you know what the solicitor has to say. So I hope to hear from you again.

Yours faithfully,
Niel

P.S. Please excuse scribble!

I have just finished reading Alan Bestic's "Turn Me On Man"! Quite good.

The first letter we received from Niel made us understandably indignant, but after some lengthy correspondence it transpired that he was also serving a year's sentence for larceny which was running concurrently with the drug offence and had previous offences. Nevertheless, we considered that a year's sentence for a first drugs offence was a gross miscarriage of justice, especially since, at the time of his arrest, it seemed that he was allowed no legal advice.

We resolved to do all we could and advised Niel to appeal. The solicitor whom we asked to take on the appeal was more than reluctant, telling us that with Niel's record there would be absolutely no hope of success. We realised that an appeal against the larceny sentence was more than likely to fail, but we were hopeful about the drug sentence. In every case we handle we hope to set a precedent and in this particular instance it seemed reasonable to expect that at some time in the future Niel would be arrested again. If we could get a reduction on the drugs sentence it would mean that an even longer prison sentence would be less likely the next time. We were adamant about proceeding with the appeal taking the view that if no-one helped Niel, the prospect of him ever keeping out of trouble was very slim.

The appeal Judge reduced Niel's one year's sentence for the drugs offence to 3 months.

* * *

Letter from Leicester · April 1968

This is a typical letter informing us of an arrest. When neither Release nor the N.C.C.L. know of lawyers in the areas where they are needed, we reply to the person concerned advising them to contact their local Citizens Advice Bureau, where there is a list of local solicitors. The person should then put us in touch with the solicitor so that we can discuss the case with him.

We wrote to Martin advising him to do this, but he did not reply and so we were unable to contact his solicitor.

Dear Rufus,

I telephoned you on Saturday afternoon to ask for advice on a solicitor because I was arrested on the Friday night. I am writing, as you asked me, to tell you what happened.

At 7.15 there was a knock at the door. When I answered it my mother and father were there so I thought they had come to see me and I went into the kitchen. When I came back into the room two detectives were there. They said they had information that I had been to London in February to pick up methedrine and that I had been pushing it in Leicester. This I denied since it was not true. He then searched the flat after some more questions. One of them went into the kitchen, his name was Tony but I don't know his second name. Det. Sgt. J. started on the trash can. Then he searched me. The one in the kitchen called to him as he started and he turned away. I took a deal (of cannabis) (£3) from my pocket and tried to swallow it. They both grabbed me round the throat and tried to get it out of my mouth which they did eventually. He arrested me then and searched the rest of the flat and found nothing. I spent the next four hours down the station which is ——— Street station. I was given bail at about 11.30. I have to go back on Monday 13th May when I suppose he will have the results of the analysis.

While I was at the station he also accused me with several other things which I don't touch like heroin etc. I'm sorry I didn't write on the Sunday like I said I would but I had an exam on the Tuesday and had to do some work for it. I am a student at a college in Leicester.

I hope this tells you what you wanted and thank you very much for your help.

Yours sincerely,
Martin

* * *

Letter from Ashford Remand Centre – April 1968
Passed on to Release from International Times

Dear IT,

I write this letter to you because I regard you as a great friend, and true friendship is a thing I am in sore need of at this present moment.

I was arrested and remanded in custody because I broke the laws of this sovereign state by being in illegal possession of 3 grains of heroin. For this crime, a crime which affected or disrupted the lives of no other human being except myself, I have aligned against me the whole machinery of the law and, quite frankly, I'm scared. I cannot face the wrath of society alone.

I need an understanding lawyer to stand up in court and tell the magistrate that I am ill. I want to go to hospital. I want to be cured. You know the organisation which supplies lawyers for drug cases – please, and I appeal to you as one living entity to another, – please ask them to help me.

I appear in Bow Street Magistrates court on 30th April so this might not reach you in time, but they will probably remand me here again anyway. I know horse (heroin) is a bad scene, my friend, and I really want to kick it. Surely you can understand that I wish to be free to enjoy the summer in Southsea, my home. Man, it's so beautiful there and I have a chick (girl friend) there too and we were going to do so many nice things this summer like tripping along the beach and in the country.

I know you will try to help me because I know that you are sincere in what you say. Please convey my love to all our friends, especially in Southsea. The wardens here are okay. They read the mail but it's okay as long as it's not offensive or blasphemous or intended for insertion in the press or anything. So, please help me man, as we are old friends and will be friends for a long time.

Yours in love
William

P.S. Please send me a paper in as you can't buy them here.

We were able to send a lawyer to the court for William and he was remanded for medical reports. When he appeared in court again he was fined £10 with 21 days to pay.

* * *

Letter from Brixton Prison – April 1968

Tony had been in touch with us prior to this case, when a friend of his had been arrested. He had a long criminal record and had already been given a suspended sentence for a previous drug conviction. Because of this we knew that he would very likely go to prison if he was convicted.

In court the six months suspended sentence was implemented and Tony was given a further six months to run consecutively with the first sentence. This meant that he would be in prison for one year, although he could get four months' remission for good behaviour! He appealed immediately and when the Appeal was heard, the Judge at the Appeal Court substituted a conditional discharge instead of the prison sentence for the drugs offence.

Dear Rufus,

How are you buddie – getting along OK I hope.

Well, I must apologise for not getting in touch when you bailed me last time but I got right off the scene to re-assess a few values which had become somewhat twisted. Also I wanted to lose myself from this H and C business, which by the way, I've succeeded in doing. So, just when it seems that at last I'm getting myself straightened out I start grooving around with Simon again, and the world falls in on me.

Rufus, this is going to sound like out and out lies but here's what happened. Simon ran out of stuff but as he only shoots half a jack (6th of a grain of heroin) at a time, I didn't see that he had much to worry about – I thought that his habit was strictly all in the mind, anyway, we go up the Dilly and he scores and makes a fix, you know the score. So we go to Charing Cross buffet and we get a tea and cakes

scene. Anyway Simon suddenly starts shaking like he's been hit by a mosquito and gets very sick. I say, let's split home – he says he wants to fix. So down to the loo we go and I go in with him and help him build his fix (prepare for an injection) and before he can hit (the vein), he pukes up all over the place like he's going to die. So the attendant comes and gets a ladder and tries to bash our heads in with a broom, so I come out and have words with him. Then Simon wants to right him but I get him to split up to the toilets at the Charing Cross Road. He's still shaking badly and he's got a tie up (tourniquet) on and his coat over his shoulders and I've got his works (syringe) in my hand and we reach the toilets and get busted (arrested). Anyway, I had nothing on me except his works and he had all the business on him, water, H, needles, and when the fuzz asked if the H was legal, he replies, "I scored it at the Dilly, how 'bout that." So at Bow Street in the morning the fuzz oppose bail and I do the verbal and get it and his Mum comes in and mine don't and he says don't worry, I'll get someone for you. And I wasn't too worried because I thought I'd see you at court on the 11th but you wasn't there and ..... (his lawyer) said he would phone you because I asked to phone Release but wasn't allowed to. So Rufus, once again I must ask you if you will come to the rescue because I want to be employed when I appear and Simon will do his bit and I know I can rely on ..... (his lawyer).

You know that I'll turn up Rufus because I keep my word and also I'm not afraid of society's greatest weapon "prison". So please write and let me know how you're going to perform Rufus – this saves me being hung up wondering what's happening.

So take care and be lucky – 'bye for now.

Tony

P.S. If I'm not bailed I appear on the 17th and if I'm bailed, on the 26th. Would you see if you can make it.

2. April 1968

My dear Friend,

Thank you for your reply to my somewhat moronic epistle last week.

I was so glad to hear that you had a hustle (under pressure) on and couldn't come and do your stuff, but I appear again on the 26th, this Friday so it's hardly worth it anyway. I thought I had better remind you of the date because you seem to be under the impression that I appear again on the 17th of next month. I hope you can still make it at such short notice.

So how is Release coming along then Rufus – nice I hope. If the stationery, which I dug incidentally, is anything to go by, Release is now almost respectable. I just hope it doesn't get plastic, just like the rest of the underground scene!

I mean, certain things have been hanging me up lately. For instance, the Arts Lab. Well man, the original idea may have been groovy, but now it's just an art supermarket run by a lot of ersatz snobs. And why no Arts Lab in Barnet or Weybridge or Horsham. There's a lot of very talented and creative people grooving around Covent Garden so why don't they go out and show all these other people how to do things like spread the word, Rufus, then maybe things will happen.

I read a book a while back by an American, called "You, the Little Man" in which this guy states that if man got rid of all his little hang ups and taboos and things and saw how he really was – well, man, he'd be so frightened that he would beg for his hang ups back. So true, man, so true!

Yes, I really got mad on with these big hearted underground snobs. I call them the hippie-flippie-groovy people. Last summer when it began to happen it was beautiful. But now it's so plastic, with all this look at me I'm the happiest man in the world bit, and a bread scene even. Once I got involved in a discussion with some of these cats – soon as I

opened my mouth, everyone looked. God when will the plastic underground forgive me for my Bethnal Green accent? You dig what I mean. There are too many frauds on the scene and they're messing it up for the rest of us. Take ..... and like they are so false, it's just not true. I've spent hours studying that guy and I've sussed him right out. And Alan Bestic (TURN ME ON MAN) – he's just a joke – I could say a lush as well, but I don't play on other people's weaknesses. He who can cast his first stone etc. I must agree with .....'s comic views though, but everything may be false, but because of his papa not giving him any bread, he may have got a little dissatisfied.

By the way, now that I've finished knocking everybody, I went to the Lisson Gallery and saw Warhol's exhibition and it didn't move me. I must admit he's made some groovy films but there my praise must stop. He's rather like Charles Lloyd in lots of ways. One guy who's supposed to be a big name, avant-garde, wise, says too much. And all these little guys who can't think or form their own opinions run around making like echoes.

As we're on the arts, it's come to my notice that a guy who works at the same hospital as ..... has done this adult playground thing at Battersea funfair – this I just got to play in.

Well, I'm really glad that I haven't got a habit anymore. Yes, I'm really glad I'm off the scene. You want to know what caused this sudden change in my outlook? Well, to start with, I wanted to be a junkie – thought it was romantic and all that. I even thought junkies were really cool. So when I finally came one, I sure was one helluva disillusioned guy (please excuse that last word, but I couldn't spell it). Anyway, after I saw the tragedy of it all – young chicks with old faces, ancient bodies with youthful voices. Frightened little children lost in a big, dark, cold uncaring world. This is not for me I said – enough! Off I trooped to hospital, where because people kept asking if I was stoned, I realised

that I didn't need drugs. I was turned on enough without them. So bye bye H and all that. And except for a relapse when I got well and truly stoned on meth and didn't enjoy it, I've stayed that way.

Well, that just about winds it up Rufus. Please be in court if you can make it. I would appreciate it very much.

Bye for now – take care and be lucky.

Tony

3. July 1968

My dear Friend,

I think you'll be pleased to hear that I got lucky. I went up for my appeal yesterday Rufus, and they cut one six months to a conditional discharge. The suspended sentence was left as it was. So anyway, I'll be out on 14th August and that's just fine and dandy.

Please give ..... (his lawyer) my thanks for doing all he did and tell him I will write to him. Also ask him to give my thanks to the guy with the wig, he was really too much, and tell him that I'm extremely grateful for what he did.

Believe me Rufus, I had no chance there yesterday, the guy who defended me even told me as much I hardly had any grounds at all. But when I got in there he was so cool, and what a speaker, man! He stood up after the prosecution and fuzz had had their say, cracked a joke with the judge and the judge cracks one back. Big scenes of amusement, everybody laughing. So the judge gets a big expansive mood on and the sun is shining and everything. Heroin? A hard drug your Worship – is it a dangerous drug asked the judge? Yes, was the reply. Is cannabis a dangerous drug but not harmful. (laughter). Anyway in the end the judge asked if my Counsel would be satisfied if he substituted a conditional discharge in place of the sentence. The guy agreed, thank God, and I got so happy man so very very happy.

I met a nice Austrian guy up there who used to be with

the Human Family and goes to the arts lab. Evidently he got busted. Anyway they're going to deport him back and he is really hung up about it all.

Look Rufus man, that V.O. you've got is now no good, so I'll send you another if you want it. So, till next time Rufus, that's it. Take care and maintain your cool.

Bye for now

Tony

P.S. Please don't give anyone my discharge date because I'm really gonna surprise a few faces.

When Tony was 13 he was sent to an approved school for stealing £3 7s. 0d.

In August 1961 he absconded and was sent to another approved school for office breaking and stealing clothing.

In September 1963 he was sent to borstal for housebreaking and stealing a radio.

On 8th April 1965 he was again sent to borstal for being in possession of an offensive weapon, causing malicious damage, assault causing actual bodily harm.

In December 1965 he was put on three years' probation for breaking and entering and theft of £140 worth of jewellery.

In April 1966 he was sent to prison for breaking and entering and breach of probation.

In March 1968 he received a six months suspended sentence, suspended for three years and in April he was caught stealing a bottle of milk and fined £5 or one day in custody.

We question the value of sending thirteen year olds to approved schools when the alternative of probation under the careful guidance of a social worker would probably help a young person over the years when he might be prone to delinquent activity. When Tony comes out of prison we will help him find accommodation and a job. We hope this support will enable him to feel more secure and reduce the chances of him getting involved with "hard" drugs again.

* * *

CHAPTER TWO

INTERVIEWS

Interview with an Addict (Stephen)

2. I came here now because I've got faith in Dr. (X) and Dr. (Y) and their method of treatment and their centre has probably been the only way of getting addicts completely off of drugs and interested in something else other than just going around fixing and seeing other addicts. I think this centre is the only thing that will do any good and I think it's a pity that it wasn't recognised by the Ministry as a Treatment Centre. I came along here about a year ago, I think. I'm the Chairman of a Patients Committee now. I've been taking drugs since about five years ago when I first started experimenting with amphetamines, merely in order to increase my learning power. And since then I've gone on to various things such as Heroin – most drugs, I think, I've tried, actually. I've had one cure, which did no good at all, because the first thing I did as soon as I came out was to go and get a fix. Now I'm down to the minimum of drugs which I try and just keep to a day because I know that if I go anywhere else I shall just increase the dosage that I'm taking . . . I don't know – at the moment things seem pretty down – that's because I've got sepsis in both hands . . . so, you know, – things are pretty low at the moment, but then there comes a time when things are fairly high, and one feels that one's getting somewhere, and that the centre's doing some good and you feel pretty good. That's all there is, I suppose. One eventually gets drawn into the fight between taking drugs and not taking drugs, whether you intend to start out that way, or not.

PAUSE FOR ADMINISTRATION OF PHYSEPTONE LINCTUS

Ugh! God! this is the worst muck ever. It stops you getting a high on the heroin. Works very well, as well . . . after you've been taking physeptone for a couple of weeks you can't get any effect at all from the heroin. You fix a grain, or two grains and you still can't feel it.

1. You seem to be annoyed that it stops you getting any buzz off the heroin. Do you want to get a buzz off the heroin?

2. No . . . I don't really . . . I don't . . . I found out the last time that I was getting the same buzz over and over again . . . and it gets a bit boring. One wants to get off if one starts just taking more and more because of the physical dependence – so it is a good thing – it's a pity it just tastes so foul.

1. You say you started using amphetamines to begin with to increase your learning power.

2. Yes, well, I find that they increase the intelligence quota by eight points, they also tend to slide the individual along the introversion scale, which is a bad thing – especially if you're an extrovert as I am; so you tend to get a sort of split personality thing going, and with methedrine addicts in particular, you get a paranoid schizophrenia thing developing which is very peculiar to methedrine and is very difficult to treat. And I'm sure not many doctors know; they just regard it as symptoms of madness when in actual fact it does have its own laws, by-laws and its own hierarchy of dependent factors in it. Unless you've actually come up against it you wouldn't recognise it; it has a lot to do with magic . . . it's very odd . . . it's very odd.

1. You say a lot to do with magic? In what way?

2. People seem to become aware of higher mental powers, They somehow come in tune. Everyone on the same drug tends to be aware at the same time of the same thing, through some sort of mental transference – I don't know – it all sounds very odd . . . very weird. And, you know, unless I'd actually gone into it in some detail, I wouldn't really like to say much more. That's about all that I can tell you, I think

– except that I used to be a school teacher and gave it up because I started taking drugs again. I gave them up when I got married and I started taking them again when my marriage broke up.

1. Did your marriage break up because you started taking them again?

2. No, I don't think so – I was smoking at the time – my wife started smoking then she decided it was evil – stupid cow! That might have been some contributory factor. No, I think it was just that I couldn't make the break back – once you've crossed over the line, I think, into taking drugs, it's very difficult to come back again on to the other side. You're in a sort of nether state and you've got to find a way back through some form of work or something in order to come back, or through some organisation to help you back to co-existing along with everyday life.

1. It sounds as if at some point you decided to allow drugs to dominate your life?

2. Yes – so I did at one time.

1. How long ago was that?

2. I should say, twice they've dominated my life – that was at the height of my sort of, psychosis, and at the height of my junk addiction, and that would have been about three years ago, and two years ago. I got separated about four years ago.

1. At what stage did your marriage break up?

2. Oh – I think that was a sort of indeterminate stage – it was a sort of middle period in which I stopped taking drugs, actually and started straight life, and I'd made a lot of money, you know, I was working for myself, freelance artist. But, you know, after I got married and I was still trying to freelance, my wife didn't want that, and she had a nervous breakdown. Well, drugs came back onto the scene and it became a lot easier afterwards, to depend on them. And once you've been taking drugs, you know, it's always very easy to go back to them again. And its always easy to

be convinced that this time they're going to help you – that it's going to be the answer, but they never are.

1. And your Art work?

2. It helps to a certain extent in that you can do a certain amount of sheer physical work, you know, the boring part of any layout, just the filling in parts, that you can do with methedrine – it gives you the interest - you become convinced that whatever you're doing is absolutely great, absolutely marvellous – but unless you are able to judge your work accurately you find that you're just drawing a blacker, and blacker picture until in the end you've filled everything in and you've just got one sheet of black paint. It's very difficult, you know, it's not a drug to try . . . not . . . not really . . . no drugs. Oh my God I sound very anti – don't I? Sometimes I'm very pro drugs – I'm very pro cannabis – cannabis is one thing that can help people. I'm sure that most drug addicts could break from their addiction if they were allowed legally to smoke cannabis. If cannabis was used as a method of withdrawal, I'm sure that would help a lot. That's the only thing I can say about it . . .

1. Of the drugs we've been talking about, the ones which have played the biggest part in your life are obviously heroin and methedrine.

2. Yes – and LSD – LSD I think is very good. Actually it's always convinced me when I've taken it that I've had to give up any other drugs I've taken. And it's always helped me to give up other drugs.

1. Well, you haven't yet . . . how many times have you taken LSD?

2. I suppose, about a dozen times. I give drugs up, or I think I've given them up, you know. I won't fix for a fortnight or so, and I think that's it I've given it up – and then I take one fix, and I'm back again.

1. And you can still think you've given it up and take another fix?

2. I know – it's a barmy sort of state of mind, you know.

But most addicts, you'll find, are very similar – they think they've actually given it up before they've actually done so, you know. Their intentions are more than their actual acts, and it is part of the addict's life which he grows used to. I think – living with intentions rather than things that he's actually done. That's a nice depressing picture.

1. In exactly what context did you first start using drugs?

2. Well very much in the idea of a sort of hip analysis. A group of us were smoking and we'd occasionally take a few methedrine pills. And then eventually, being unable to get them, somebody introduced us to liquid methedrine, and using a syringe, and just the sheer thing about fixing, which is a very physical thing, sort of seems to take over, and for . . .

1. Talk about the act of fixing . . .

2. There's something about the mystique of giving oneself an injection . . . I think . . . that is terribly self-satisfying. It's – if you like – a subliminal sex thing – it's a thing within itself. Something is incredibly satisfying in it to the addict to perform, and is always associated, of course, with pleasurable after effects, or nearly always associated with pleasurable after effects.

1. And sex – in your life?

2. Drugs tend to, I find, take over from and take the part of sex. There have been a number of affairs I've had in my life during which my drug taking has decreased. You find that there are not so many women that take drugs as there are men. It's a curious sort of . . . almost homosexual experience, in a sort of monk-like way, I suppose, rather than in a perverted sort of way. I don't know, it's a very odd thing.

1. Obviously the most important drugs in your life are heroin and methedrine – have you always taken these together?

2. No – no, never. One always comes up over the other. Heroin, generally – I've taken that when I've found that I'm getting too psychotic, on too much methedrine, and I start to take heroin more as a tranquiliser, then I find that the

lack of anxiety that one gets with heroin is pleasant. The euphoria, the feeling that nothing matters anyway, anymore. That sort of increases until at last one is hooked on heroin, and you're not taking methedrine. The two act against each other actually, and methedrine is used in narcotic treatment.

1. Where do you see yourself going from here – in terms of redeveloping your interests?

2. I don't know – I honestly don't know. I was hoping to get this centre to work in conjunction with Release. You know, I had some barmy dream about all the addicts being able to work together - for the sort of release of other addicts, you know - but that doesn't seem to have come off.

1. Well, there's no reason why it shouldn't; it's just that nobody has done anything about it.

2. I know – it's very difficult to get anybody, you know - and myself, as well I know I tend to be enthusiastic about it one day and . . . you know, I'm off on a downbeat the next week, and so, things don't get done.

1. Do you find yourself bored a lot of the time?

2. Yes, a great deal of the time.

1. Is there anything you do enjoy?

2. I don't think I enjoy anything now - I don't think I enjoy anything at all, quite honestly, not really, not with the same intensity of enjoyment that one enjoys things when one is taking drugs - then everything seems great – everything seems worthwhile doing – one could work for ever on any one subject or any one project and it would seem marvellous. But, without drugs – no. It takes a very long time, a very long period of adjustment before one again starts to find something worthwhile doing without drugs being connected in any way.

* * *

Group Interview with Addicts

1. Well, Dr. X was my own doctor always has been. First of all I got started off by a private doctor, Dr. A in

North London – he only charged 10s. per visit – you know him do you? You were with him as well?

2. No, but I had a friend who was . . .

1. And that's where I got my prescriptions from until finally I confessed to Dr. X and he took over on the National Health. . . . How did you start off?

3. Yes, well I believe Dr. A was, compared to the doctors who were giving out private stuff, very cheap.

1. Oh yes, he was very reasonable you know - quite a good doctor really. He wasn't in it for his own profit, that's one thing I did dig about him . . .

2. But he gave an awful lot of stuff. . . .

1. He was rather careless . . . because, even when I went there, I wasn't really hooked (addicted) on it, but I became hooked as soon as I was with him, getting regular supplies which I wasn't getting before that – I don't think any addict was getting regular supplies, and was really hooked, before they went to any doctor.

2. Well, I was. . . .

3. This is exactly the same with me because when I started about nearly five years ago, now, I was getting about a grain a day, a sort of H and C (heroin and cocaine) you know, and after I'd been taking it about a month, you know, it was costing too much and the person who had first started me on it – a friend brought him to us and said, "Try a fix (injection), you must try it, it's fabulous", so we did and in the end this person who was registered with this doctor, Dr. G, had twelve of us on with him, and he just didn't have enough stuff for himself and all of us – so we all eventually, one by one, the whole dozen of us, got registered with Dr. G, who at that time was just starting up and he didn't know – like all the doctors at that time - hardly anything about drug addiction; but he wanted to do something about it so the only thing he could do was take us on. I started on 4 of heroin, 12 of cocaine which was 16 grains a day – I was only taking

a grain. I never took more than half of that – the rest I sort of gave, lent, even sold, you know, to those of us who took it – I only started one person ever, who had never taken drugs before. And I was cut down steadily, since then, I mean but it was only until a year and a half ago that we were really cut down. And now, I mean, I only take one fix a day. But I think the usual person, the person who does before he gets registered is taking very little and nowhere near the amount he gets registered for....

2. I only got registered when I really wanted to come off ... because I was getting eight and eight (eight grains of heroin and eight grains of cocaine) from this jazz musician ... regularly – for nothing.

3. Getting what?

2. Eight an' eight.

3. Eight an' eight – yeh?

2. Well, it got up to eight and eight. And you know, well ... I was so ill, and I wanted to get off, so I came to Dr. C then.

3. I suppose there must be loads of different stories, but this is with our group and there's at least a dozen of us, and that's how it was, the general story.

2. Well, I was pretty lucky getting it for nothing – or unlucky, as the case may be....

3. I was very unlucky; the person was charging us, was charging us 10s. a fix, you know, and he used to make us wait hours; and after he used to have a big fix of H and C he used to go through hours of sort of filling up the cracks in his door with cotton wool, you know, to keep in the bugs, and the men outside, out, you know, so that they couldn't look through and see him turn us on – I mean, you know he was really sort of flipping at that time.

1. How did you start off, Mike?

4. I used to work in a Drug Manufacturing Factory.

2. Really.

4. Yeah, yeah, in X Road.

1. And you . . . what . . .?

4. Don't have to say no more really.

1. You started off by getting the stuff from there, did you?

4. Yeah, yeah, we used to make it, you know - put it into the form that you get it now, the tablet form – it was just powder then. So we didn't really know what we were fixing at a go, you know. And there was about six of us who were doin' it and the other five got caught. The queer thing was I had some of the marks on my arms before I went there, but I just said I had an illness of some sort – blood transfusions and all that sort of scene and they just said all right. I used to be in charge of the loading bay – the keys to the gate, you know. So it was all right for about six months, and then when these others started getting knocked off . . . I sort of emigrated out, like, you know.

2. Who did you go on with then?

4. Dr. C. . . .

2. Did you go on with Dr. C straight away?

4. Yeah, no one else would take me.

1. Did C look at your arms?

2. That's what happened to Michael and I – no-one else would take us. . . .

4. Yeah, he actually gave me a fix straight there and then when I saw him.

2. C took photographs of Michael's arms when he first went.

4. Yeah – me too.

3. Was this within the last eighteen months?

2. About two years ago – two years.

3. When I first got registered the doctor didn't even look at my arms – but there were so many drug addicts you see who he had – you know, I mean, he had all his patients to do - two thousand patients I believe, a really thriving practice, without the drug addicts. We all called at all hours of the day midnight as well. And so the only thing he could do was to keep us on – to keep us, sort of, from buying it on

the blackmarket, and from having to . . . to, you know, cause crime to get it, and what not; you know, he just had to keep us goin' until he did join up with Dr. C, and they could start doing something about it.

1. But what reasons made you become a drug addict?

3. It's the same story isn't it, over and over again.

4. I wanted to . . . it's as simple as that really.

1. I know I became one because of the depression, you know – used to get terribly depressed – in fact you know so bad that I would have done myself in, you know, if I hadn't gone on drugs.

2. Heroin's as good a way of doing it as any, isn't it?

1. Well, it's a way of, it's a sort of death because you become a complete zombie really –

2. Mmmmmmmm . . . quite, and numb. . . .

1. At least I did . . . yes . . . and in a way it's a kind of death – you really completely withdraw from life.

3. I only felt depressed really when I started to come off – I felt really guilty then, you know. Yeah, sort of punishing myself, you know, sort of coming off I thought it was everyone else's fault before that – not being able to get it. I didn't think it was wrong getting it – I . . . I still don't, you know – I mean you are, you . . .

2. Physeptone is a depressant and if you're having a lot of that you're necessarily going to be very depressed at the time when you least need to be depressed.

4. But really Horse and Charlie (cocaine) isn't really my scene. I – I really can't talk about it 'cause . . . I . . . I've gone beyond it, or come back from it – or whatever you would call it – And it's acid (LSD) I really dig man, you know; I wish I'd gone on that in the first place . . . just wasted a lot of time.

3. What H and all this . . .

4. Yeah, because the experience was just a physical one and it didn't do anything to the mind. . . .

2. Absolutely the most uncreative thing you could possibly have.

4. . . . I mean dead, you become soulless.

3. Well, I was quite content to, you know, to smoke. And both me and my friend used to smoke . . . I used to play banjo, he used to play guitar – and we were content. But two friends of ours brought this person who was registered over and they said you must try it . . . we would never have went out looking for it, I'm sure of that. I was nineteen at the time, and, you know, we were very envious and so we said, well, why not? We'll try it once – you know, we can try it once and then leave it. But . . . heroin . . . you know, you just can't try once and leave it.

We do know people who have taken heroin once or more, who have not become addicted to the drug. We believe there is a certain type of person who will become dependent on whatever is most suited to his own particular need.

Someone who drinks beer does not necessarily become an alcoholic in the same way that the majority of people who smoke cannabis do not become addicted to other drugs.

* * *

Interview with an Addict (*Suzi*)

1. How long have you been a junkie?

2. 'Bout – um – 3 to 4 years.

1. How old are you now . . .?

2. 21 in June.

1. When you first started did it take you long to get hooked?

2. When I first started I thought it would be a glamorous way to die.

1. I don't believe that.

2. Well, I did. I was miserable so I thought I would see what junk's about So I tried to get it and I got some.

1. You set out deliberately – nobody offered it to you.

2. I set out deliberately – it took some time to get it – I got it. The first time it was fantastic and I thought about it

and I thought this is what I need. And then I took some . . . and I took some the next day . . . it wasn't until I got busted a few months later that I realised what was happening then.

1. Apart from what you say is a death wish, what was it that made you start using?

2. It was a kind of glamorous image thing. I wanted to be the centre of attention. I thought I wanted revenge on this boy for doing this.

1. Which boy?

2. This boy . . . well, I don't know . . . spoiled all my illusions, disillusions . . . a very complicated story, but I left him . . . I was very upset by it. Also I'd helped a lot of junkies. I thought the only way to really help them was to take the stuff then I'd really know what it was about. I was also very curious. I also wanted to find out what kind of kick it was.

1. So you had had contact with junk before you started using, or wanting to use it?

2. Oh yes – I was very much against it. I was terrified of needles. But once I had tried skin popping and found it didn't really hurt, that kind of fear went immediately.

1. How many periods in the time you've been using junk have there been when you haven't used it?

2. I've been on and off it, on and off it, on and off it. Um – three years ago in May I got busted – was a week in Holloway – cold turkey.

1. They didn't give you any physeptone?

2. Nothing, no – nothing.

1. And how much did you come down from?

2. Can't remember – about four or five grains – quite a lot.

1. And you were using cocaine with it at the same time?

2. Yes, I was also using opium the whole time.

1. Would it be fair to say you were taking any drug you could lay your hands on?

2. Well, the only one I was taking regularly was kind of H and Coke (heroin and cocaine). But at the same time I suppose I was taking other things as well. Raw opium which

I was eating – a hell of a lot just before I got arrested, for about three weeks before that. And I had also . . . I suppose I was smoking a bit, not so much. I was only really using coke and heroin. I stayed off then, I suppose, for about three months because I was in this convent at Spelthorne St. Marys. I managed to get out of there. Then I went back on it.

1. Did you want to get out of there?

2. I didn't see any reason for staying there because I was cured completely.

1. And yet, after two weeks or so outside you apparently went back?

2. Well, I went back because I found when I went out that living was so different and that I was so miserable and nobody knew anything about the subject at all and it was still kind of inside me.

1. Well, you say you were miserable while you were off junk . . . I don't know, it seems you're miserable while you're on junk. Are you any more miserable off junk than on?

2. When I get depressed I go back on junk. I was very depressed when I came back out because I was so bewildered by everything. I think it was very bad that I went back on junk then because I went up to Edinburgh then I couldn't get very much at that time; or if I didn't manage to get enough of that I'd go to Glasgow and get some morphine. It was in very bad condition, raw morphine, unrefined – made me very ill indeed, but it kind of acted as a substitute. I used to go down to London every few weeks; I was on probation. I wasn't meant to go to London at all. So I used to be only able to escape down to London every other week. First it was only once a month – I thought I had found the ideal thing, going down to London every month, staying for five days, fixing like anything, getting quite a nice buzz, then going back to Edinburgh and coming off it immediately. Then the month kind of turned into three weeks and two weeks and I found I was staying in London for a long time. This kind of went on and on and on and on.

1. When you initially came down to London to live by yourself, why did you come down?

2. I went to art school.

1. You came down specifically to go to art school?

2. I left home; an old aunt who used to finance me died so I was financially independent. My parents were against me going to art school in the first place, so I said OK, I'll use my own money and pay for it. I had to go to one of those private ones because I hadn't time to apply for any of the others.

1. What did you expect to get out of art school?

2. Well, to get some kind of basic training so that I could do this theatre designing which is the only thing I want to do, and the only thing I have ever done which has kept me off junk.

1. When you have done it how long have you stayed off junk? Have you ever done it when you've been on junk?

2. Oh, I've done it when I've been on junk – yes, but the more serious jobs I've done, I've been off junk. A year ago I stayed off for about six months when I was working in Colchester.

1. Is that the longest time you've ever stayed off?

2. Yes . . . but this last time I suppose it was about five – not much difference between the two

1. Can you tell me right now what you think junk does for you?

2. It kills me.

1. It kills you – and you really want this to happen?

2. No.

1. You don't.

2. Not the slightest – there's no glamour in it at all. It's a thing you can learn fairly quickly. You learn that soon after you start, you start getting hooked. It's all a kind of illusion, all this image bit – it just doesn't exist, and then it's too late.

1. So you're killing yourself and you don't want to die. Do you have any specific reasons for wanting to live?

2. Yuh . . . I want to do a lot of things.

1. Such as?

2. I want to design. I want to go to Mexico.

1. You think you'll enjoy these things?

2. Yes . . .

1. Do you know how to enjoy anything?

2. Yuh . . . I think so . . .

1. Have you ever enjoyed anything?

2. Yes, I've enjoyed working.

1. What at, theatre design?

2. But the people always hang one up because people in the theatre are so shitty.

1. Well, people anywhere can be shitty – do you allow things to hang you up?

2. I try not to . . . I don't want to use it, at all . . . it just chemically starts activating . . . part of me says, you know, just try it once more, and don't try any more . . . it'll be all right . . . so I try it again, and of course once I try it again, I go on using it. Basically, I'm completely against it. I'd stop anybody using it – it's a very bad, evil thing.

1. You don't want it yet you still allow it to control you, even to the extent that when you're physically clear of it, you still return.

2. Well, I'm never mentally clear of it – I could stay off for six months and I still get dreams at night . . . I'm back on junk and things . . . I wake up in the middle of the night just kind of sweating, you know . . . and that happens after about six months, still . . . I'll come off it, again.

1. What do you think would happen to you if you came off it, and stayed off it?

2. It would be all right but, you see, it would be there for the rest of my life - as an alcoholic needs alcohol, it's there for the rest of their lives; so is a junkie for the rest of their life.

1. Do you feel the need for a focal point in your life so badly that this is perhaps the only stable thing in your existence?

2. At first, until it starts to dominate you, it's a kind of companion . . . it's something to do . . . relieves the kind of boredom

1. You talk about the boredom. Are you bored the whole time?

2. Most of the time.

1. And yet you still say that you know how to enjoy things?

2. Only occasionally . . . sometimes manage to . . .

1. Could you give me your idea of what happiness is?

2. No.

1. You haven't got one?

2. No – happiness is about the only freedom, I suppose, in a way. Except with junk at least one has got freedom because nobody really cares anyway.

1. And you call that freedom?

2. No, it isn't freedom, but one has one's freedom – one can do what one likes . . . I suppose, but that's wrong.

1. But you don't appear to like anything you do at the moment?

2. No . . . the only thing that ever helps is responsibilities . . . when I've got a responsibility of some kind, then I've got a duty and that way I can kind of dedicate myself to something which keeps me better. When I've got no responsibility of any kind at all, nothing to look after or be in charge of . . . there's no point in anything.

1. That's an oblique reference to the shop isn't it? Nobody said we were depriving you of responsibility for anything in particular, apart from the shop. It doesn't mean you go without responsibility; responsibility isn't always something that's given to you, it's something you take. (We gave Suzi the job of looking after our shop. After a few months she began taking methedrine and cocaine and we had to give the

job to somebody else as she was unable to do the work herself.)

2. If people know it's your responsibility . . . they can respect you for your responsibility.

1. That's a very naïve way of looking at it, isn't it?

2. It's not . . . I want people to kind of look up to me and respect me.

1. But in spite of the shop and your responsibility in running it, you've still reverted to junk.

2. That's purely because I was . . . to junk, which has no relevance to it at all.

1. It was very relevant – you are not capable of running the shop while you are in the state you are in now.

When Suzi came to us she was seven months pregnant. She was using a large amount of heroin, but although she wanted to withdraw before her baby was born, it proved impossible to get her admitted into a hospital. She began to abort the child at eight months and was then admitted to hospital. While in hospital she decided to withdraw and when she came out, after two weeks, she was no longer using any heroin. We were able to find her accommodation and our junk-free social circle helped her get on her feet again.

In time she was able to accept small responsibilities in our organisation and moved into her own accommodation. But, eventually things proved too much for her and she started taking heroin and methedrine again. We were able to find her a good doctor and after a few weeks she told us that she wanted to do her own "cold turkey". Her doctor did not approve of the idea but Suzi persuaded him that it would be all right, and he agreed to visit her at home while she was "withdrawing". Suzi remained in bed for a fortnight without taking anything but a small amount of physeptone, which is a substitute for heroin, and helps to counteract the pain of withdrawal. She is working with us again and if she does relapse we feel that it will be a temporary setback and she will be easily motivated to withdraw again.

CHAPTER THREE

CASE HISTORIES

Case 1

15.7.67
John, 19, trainee psychiatric worker
Edgware, Middx.
Possession of cannabis
Hendon Police Station
Hendon Magistrates' Court 31.7.67
Legal representation
Bail – father, legal aid refused. Release paid £10 costs.

Result

The charges were not pressed by the police; the cannabis was "herbal mixture"!

Previous convictions

None.

Remarks

John was searched in the street and when nothing was found on him the police allegedly found a "warm reefer" on the pavement close by. He was taken to the police station and charged with possession of cannabis. His father stood bail and contacted Release. Release was able to arrange for a Solicitor to be in court to represent John the following morning.

It is quite feasible that had there been no solicitor in court, the police would have gone ahead with the charge. Faced with a defended case, the decision must have been made to drop the charge, and the "herbal mixture" story was given as a reason not to proceed.

It is difficult to imagine that someone would throw away a cigarette containing herbal mixture, substantiating John's story that he was planted.

* * *

Case 2

15.7.67
David, 20
Ann, 20
Jane, 17
Paul, 23
John, 20
Sarah, 22
James, 21
All charged with possession of the one piece of cannabis found.
Hampstead Police Station
Hampstead Magistrates' Court 22.8.67
Legal representation. Legal aid granted.

Result

Case dismissed.

Previous convictions

None.

Remarks

The house was raided by the police with dogs but only one small piece of cannabis was found on a roof outside one of the windows. Cigarette ends and some pen knives were taken away to be analysed and eight of the nine people present were charged with possession of the one piece of cannabis found. Sarah and Jane (17) were remanded in Holloway because Sarah's surety could not get to the court in time, and one of Jane's sureties had not been contacted. One of the people who Jane put forward as a surety was her mother

in Salisbury. The police contacted her mother and she was told that her daughter was being held on a drugs charge in London and that her name had been put forward as a surety for the sum of £50. We spoke to Jane's mother on the telephone and she was quite confused, clearly under the impression that she had to part with £50 on the spot. We told her where Jane was being held, which naturally shocked her, but we said that we would find a surety for Jane and send her home. The police had seriously mishandled the question of Jane's surety, causing her to spend two days unnecessarily in Holloway.

At Hampstead police-station no-one who had been arrested was allowed to make a telephone call and when they asked the police if they could ring friends at International Times or the UFO club to arrange sureties, they were told that no-one connected with either would be acceptable. The case was dismissed as there was not enough evidence to substantiate the charges but the magistrate stated that there was no criticism of the police for bringing the prosecution.

* * *

Case 3

16.7.67
David, 19, 2nd year psychology student
Bristol
Possession of amphetamines
Possession of an offensive weapon
Cannon Row Police Station
Bow Street Magistrates' Court 18.7.67 and 8.8.67
Legal representation. Legal aid.

Result

Amphetamine charge dropped – analysis negative (the drugs were not illegal). Offensive weapon charge dropped (offensive intent not proven).

Previous convictions

None.

Remarks

David was stopped and searched. An ordinary lock-knife was in his pocket and he had three pills in his wallet. He was taken to Cannon Row police station and charged with possession of amphetamines and with possession of an offensive weapon. Because David was only in London for the weekend, it was difficult to arrange a surety for him, but after talking to him it was clear that he was not an addict, and Release bailed him out of Ashford Remand Centre where he had been for four days. He stayed with Release until his case came up in court.

In court the police dropped the amphetamine charge because the analysis was negative (the pills were ephedrine). The weapon charge was dropped because there was no proof of offensive intent. David was advised by the magistrate to hand in the knife at the police state and upon doing so he was told by the police, that had he not taken this advice, he would have been re-arrested. He was also told that "his sort should not get off scot free" and that if he ever returned to the area, he would be arrested, and it would be made certain that he was found guilty.

* * *

Case 4

19.7.67
Mike, 19 years, unemployed
Simon, aged 17, unemployed
Steve, 25 years, unemployed
David, 22 years, unemployed
Peter, 20 years, unemployed
Jane, 29 years, journalist
Ann, 18 years, employed

Mike – Possession cannabis and LSD, allowing premises to be used
Simon – Possession cannabis and LSD
Steve – Possession 1 lb. cannabis, obstruction
David – Possession 1 lb. cannabis, obstruction
Peter Possession tablets
Jane – Possession cannabis
Anne – Possession LSD
West London Court, September 1967
Inner London Session, 20th–22nd December 1967
Legal representation. Legal Aid.

Results

Mike and Simon, borstal. Anne two years' probation. Jane nine months, reduced to absolute discharge on appeal Steve, David and Peter did not answer bail and probably left the country.

Previous convictions

Mike – previous larceny
Simon – previous larceny and drugs
Steve – none
David – none
Peter – none
Roger – previous drugs
Jane and Anne – none.

Remarks

The police broke down the door of the flat and found several people there. While the raid was in progress David and Steve came to the gate of the house. They were pushed down the steps by a policeman who informed them that because they were now on the premises they could be searched. Steve was later charged with being in possession of one pound of cannabis and David was later also charged

with possession of the substance that had been found on Steve. Of the thirteen people taken to the police station only six were charged.

In court it was said that most of the LSD and cannabis in the flat belonged to an Indian who had been staying there. By the time the case came to Sessions this Indian had been arrested elsewhere and convicted on a drugs charge and had left the country. Mike and Simon pleaded not guilty. The premises were in their name but they claimed to have no knowledge of what was there. However, they were found guilty and sentenced to borstal, and the judge said that had they been old enough he would have sent them to prison for a very long time. While on bail, Mike had again been arrested for another drugs offence and been given a small fine. Steve, David and Peter did not surrender to bail and were thought to have left the country.

Ann pleaded guilty to the small quantity of LSD she had been charged with and called her father as a character witness. When arrested she had only been in London two weeks, having come down to find a job, as her family were emigrating to Australia. However, because of the case they decided to remain in the country until it was over. Jane pleaded guilty to possessing a small quantity of cannabis. She was a journalist investigating the drug world for a newspaper and was able to call witnesses to substantiate this defence. Her Counsel, believing that he had an easy case, thought it unnecessary to call the witnesses, but Jane was sentenced to 9 months' imprisonment. Up to this time she had used a lawyer that she had found for herself, but after her sentence she asked Release to help her find another solicitor to handle her appeal. The judge heard the appeal eight weeks later and taking into account that this was her first offence, and that the cannabis was purchased in the course of searching for material for a newspaper article, reduced the sentence, which he described as "wholly wrong", to an absolute discharge.

* * *

Case 5

28.7.68
Henry, 22
Middx.
Possession of cannabis – 6.5 grains
Ealing Broadway Police Station
Ealing Magistrates' Court 31.7.67 and 21.8.67. Bail £10, father
Legal representation – legal aid not granted.

Result

£100 fine, £10 costs, to be paid at £5 per week.

Previous convictions

Petty larceny.

Remarks

Henry was taken from a public house by two plain clothes policemen who said that the superintendent of Ealing Broadway police station wanted to see him. On arriving at the police station he was taken into the interrogation room where he learned that he was to be searched for drugs. While one of the policemen was out of the room he was searched by the other who alleged that he had found a small piece of cannabis tucked in Henry's belt. Henry was in the station for about three hours, but his friends who came to make enquiries were turned away, after being told that he had not been charged, when in fact a charge had been made against him.

Although Henry had previous convictions for larceny and for taking and driving away, this was his first offence for two years. In court the probation officer gave him a good report, and said that while on probation he had been co-operative.

Although he states that he was definitely not carrying any drugs, and pleaded not guilty in court, he was given the £100 fine with £10 costs.

Henry seems to have made a substantial effort to straighten out his life and was not so worried by the very large fine as the conviction added to his record.

* * *

Case 6

3.8.67
Kenneth, aged 23
London
On sick pay at time of arrest owing to a badly cut hand
Possession of heroin
West End Central Police Station
Bow Street Magistrates' Court, 10.8.67, 13.9.67
Legal representation. Legal aid.

Result

Two years' probation.

Previous convictions

Convictions and probation.

Remarks

Kenneth was an addict with previous convictions. He had received treatment at Woodside and Cainhill and he had previously been on probation. His uncle and brother were also addicted to heroin. Kenneth had been in the army and during one leave he went around with his brother who introduced him to drugs. His subsequent addiction caused him to be discharged from the army. He seems to have had little contact with his parents and had an unhappy affair with a married woman who tried to stop his addiction.

In Court the magistrate was influenced by Kenneth's good appearance, and granted him bail but his mother was distressed by this, explaining that his father had thrown him out of the house and said he could never return. Kenneth's mother telephoned her husband who remained adamant on

this point, and bail had to be reconsidered. Kenneth was remanded in Brixton for medical and probation reports.

As a result of these reports, he was sent to a hostel and the final result of the case was to be influenced by a report from the hostel. This was favourable and Kenneth was put on two years' probation, part of which was to be spent in the hostel.

This is an almost perfect example of how a lawyer can influence the way in which an addict is treated. If Kenneth had not had legal representation, he would probably have been sent to prison. Under supervision from the hostel he was given the chance to find the strength to cure himself of his dependence on drugs.

* * *

Case 7

12.8.67
Sandra, 21, private school teacher
Kent
Possession heroin
West End Central Police Station
Bow Street Magistrates' Court, 14.9.67
Legal representation. Legal aid not applied for.

Result

Two years' probation

Previous convictions

None.

Remarks

Sandra was stopped in her car after the police had seen the boy she was with buy drugs (heroin) in Piccadilly. The boy, Sandra's boyfriend, passed the packet to her, but they were approached by the police and Sandra was seen by the police to put the packet under the driving seat. On being

searched, needles were found in her handbag. The heroin was found under the driving seat but the boy ran away and the police did not find him. Although he was known to the police he was not mentioned in the case again.

Sandra was taken to West End Central Police Station with a girl friend who was also in the car, but who had no drugs on her. This girl was released and a friend of hers telephoned Release (2.30 a.m.) who bailed Sandra for £25. After collecting her car, which was at Tottenham Court Road Police Station, Sandra drove home her bailer and went to stay with friends.

The next morning, Sandra asked for a remand, and was granted bail. She was trying to cover for her boyfriend, whose heroin she had. He had a record of drug offences and a further offence would have meant, she thought, imprisonment. It was impossible for her to "shop" her boyfriend, especially as the police had made no attempt to find him. (He was staying in the same house as her.) To give his name and whereabouts would amount to a complete betrayal.

When the case came before the court again, the magistrate took a very serious view of the fact that she was an "addict" in contact with children, and before continuing further asked for Sandra to be seen by a probation officer. It had been anticipated that Sandra's involvement with children would go seriously against her, even though her solicitor stressed that she was not an addict, but the fact that the magistrate had asked for Sandra to have a probation report seemed reassuring.

Sandra left the dock and in the ante-room, with other prisoners and police, waited for the probation officer to come from another case. The probation officer was briefed by the court as to the situation, then in front of all the waiting prisoners and police officers, began a verbal attack on Sandra regarding the degradation of using heroin and the disgrace of a girl like her being involved with children. As a result of this, and the pressure of the whole situation,

Sandra burst into tears – she was embarrassed as much as anything else by being spoken to in public – and she refused to speak further with the probation officer. She had also been asked by another detective of the Drug Squad, not involved with her case, for the name of her boyfriend. The probation officer told the magistrate that Sandra was "uncooperative", but it was decided to grant bail, pending reports, rather than remand her in custody! We think that if she had not had legal representation, she would have been remanded in custody, as by that time she was completely unable to speak for herself.

Sandra left the court with her surety who was very worried by her confused state. She had been told by the probation officer not to take any notice of her solicitor, and her confidence was greatly undermined. Over coffee she explained her situation which seemed typical of many other cases handled by Release. Sandra was adopted when she was very small, but since adolescence had felt inadequate, enhanced by the realisation that she was not with her natural parents. She had lived away from home intermittently, living with friends in London when she was not working. It was here that she met her boyfriend who was involved with the junkie scene.

The outcome of such a case can go a long way to determine whether a person can cope with their problem without resorting to drugs. To have been treated by the probation officer in the manner that Sandra was, could have had disastrous effects. In fact, she did react against the complete lack of understanding, and the fear of once more bringing her failure to the notice of her parents made her attempt to commit suicide. She was in hospital, unconscious, for three days, making it impossible to complete the reports required for court.

Her parents had been visited by the probation officer, and Sandra's father went to court with her and took over bail from Release.

The probation officer was much more helpful when the case was eventually heard and Sandra was put on probation for two years.

* * *

Case 8

22.8.67
Bruce, 26, musician
London
Possession of cannabis
Harrow Road Police Station
Marylebone Magistrates' Court
Legal representation. Legal aid.

Result

£30 fine, two weeks to pay.

Previous convictions

Possession of cannabis and assaulting a police officer

22.8.67
London, Susan, 22 – nurse
Stealing medicine from her employers
Harrow Road Police Station
Marylebone Magistrates' Court, August 16, 23, 30
Bail £25
Legal representation. Legal aid.

Result

Conditional discharge for one year.

Previous convictions

None.

Remarks

The police were outside the door when Susan arrived home. She let them in and they found Bruce in the flat. He made no attempt to avoid discovery of the cannabis, and the

prosecution maintained that he freely admitted that he smoked cannabis, but that there was no evidence to indicate that he had introduced Susan to the drug.

The medicines that Susan had stolen from her employers were not restricted; there was nothing to indicate that she was involved in drugs in any way.

The magistrates accepted the fact that Bruce had not involved Susan in his offence, as a point very much in his favour, and said that had there been any evidence to the contrary, he would not have hesitated to impose the maximum sentence. The magistrate also took into account the fact that Bruce had spent a week in custody before he was allowed bail.

This case indicated clearly the importance of being defended by a lawyer. Before Bruce was represented he was not allowed bail, but on being represented he was granted bail and even though he had a previous drug offence charge (and is coloured), he was fined and not sent to prison as could have been anticpiated had he not been represented.

* * *

Case 9

30.8.67
William, 23, Artist
Oxford
Possession of cannabis
Holborn Police Station – arrested by a trainee det. constable
Clerkenwell Magistrates' Court, 26.8.67, then remanded in Brixton until 4.9.67
Legal representation. Legal aid.

Result

Conditional discharge for one year.

Previous convictions

None.

Remarks

William was stopped and searched and then taken to Holborn Police Station and charged with possession of cannabis. In his possession were also his girlfriend's pills, but because he did not have a charge sheet, his solicitor did not know whether he would be charged with possession of both these substances. (His girlfriend had a prescription for the pills, but he was technically in possession at the time.)

At the first hearing, when he was unrepresented, not wanting to implicate the friends with whom he was staying, he gave the impression that he was of no fixed address, and was thus refused bail. If he had been represented at the time it would be reasonable to suppose that he would not have spent a week in Brixton.

* * *

Case 10

1.9.67
Richard, 21, typographical consultant
London
Possession of LSD (70 trips)
West End Central Police Station
Bow Street Magistrates' Court, 15.9.67, bail £250 – father
Legal representation. Legal aid refused.

Result

£70 fine.

Previous convictions

None.

Remarks

Richard received a telephone call from someone called Toby who described himself as a friend of Bill's. Richard then rang Bill to check on Toby and on being told that Toby was indeed known to Bill, rang Toby and arranged to meet

him. Richard described himself in great detail so that Toby should know him when they met.

When Richard arrived at the place they had arranged to meet, Toby was not there, but the police were. Richard was asked to set up the same sort of trap or else he would be accused of "pushing". This he refused to do. He appeared in court and the police solicitor used his good job as a point against him, saying that Richard was "greedy" and not fit to hold a position of such responsibility. The fact that he was about to be married probably helped to keep him out of prison, although the police tried to make it appear that his fiancée was saying that they were to be married only in order to keep him out of prison. He was described as "uncooperative" presumably because of his refusal to set a similar trap to the one which had caught him. However, he was seen by the probation officer whose report was favourable.

* * *

Case 11

8.9.67
Chris, 23, shop assistant
Peter, 17
Possession of LSD
A Magistrates' Court
Legal representation, bail refused, legal aid granted. The solicitor was assigned by the Court.

Results

Chris – three months' imprisonment. Peter – two years' probation.

Previous convictions

Peter – none
Chris – petty larceny.

Remarks

Chris was remanded in Brixton – Release was told of his

arrest and a solicitor went to see him. However, by this time he had seen the solicitor allocated to him by the Court. This solicitor acted for Chris and Peter, but in Peter's defence he said that if the Court was told where Peter had obtained the LSD, his client would get knifed in the back. The Court were told about "a massive organisation pushing LSD". The dramatic feeling engendered by this "defence" may account for the Court's severity in regard to Chris. This case made it very clear to us how very important it is not to use a solicitor who has been allocated by the Court.

* * *

Case 12

3.9.67
David, 19, scientific assistant at a museum
London
Possession cannabis, LSD, opium and an opium pipe
Kensington Police Station
West London Magistrates' Court, 4.9.67, 11.9.67
Legal representation. Legal aid granted, bail granted on condition that David went home to Bristol.

Result

£25 fine on the cannabis charge, LSD and opium counts (£75 in all). A conditional discharge on the opium pipe count.

Previous convictions

None.

Remarks

As the result of a telephone call, David arranged to meet "Lebonese Larry" (later convicted for pushing) at Earls Court Tube Station. When he arrived there together with a girl, waiting to meet his contact, he was approached by two policemen with warrants. On the way to the police station he heard one of the policemen remark to the girl, "God, you

really look hooked" and "How often do you use the needle?"

Threats were made to the girl in order to make her give evidence to convict David of pushing but she was later released. In the morning a girl and a friend tried to arrange bail and were not allowed to speak to David and he was not given any of their messages. He was able to contact his father and was allowed to talk to John until the police realised he was from Release.

* * *

Case 13

16.9.67

Paul, 23 – musician

Mary, 17 – no occupation

London

Dispute with Landlord

Paul had been arrested on a charge of possession of methedrine and as he and Mary were to move into a new flat at the weekend, he gave the police that address. The Ealing police sent a constable to the house at 7 a.m. to check up on the address. The landlord was worried about the visit and telephoned the police station. The police informed him of the situation and this caused him to refuse access to the flat when Paul and Mary arrived on the Saturday.

Mary telephoned Release and was directed to a court where a solicitor was appearing that afternoon. When the solicitor's case was over he took her back to his office. On learning that Paul and Mary had paid rent in advance and had a contract stating terms etc. he wrote a letter to the landlord informing him of the penalties he was liable to if he continued to refuse access to the flat. When the landlord saw the letter he let them into their flat with no further delay.

Two weeks later Paul phoned the solicitor. The landlord had been using threats to them and had even gone to the lengths of banging on the locked door with a hammer. The

solicitor went round to the flat immediately and saw the marks on the door. The landlord tried to say that the marks had always been there, but the solicitor noticed that there were marks on the lock which Mary had changed only the week before. She had done this as she believed that the landlord, who had a duplicate key to the old lock, was entering the flat in her absence.

The solicitor went to Ealing Police Station but the police refused to help. In fact, the Station Sergeant seemed genuinely surprised to learn that intimidation of this kind is a criminal offence and seemed to think that only civil remedies could be taken.

Paul and Mary left the flat, because of the continuing hostility from the landlord, in spite of the fact that they had every right to stay.

* * *

Case 14
24.9.67
Brian, 24, Assistant Stage Manager before hospitalisation
London
Possession of cannabis
Marylebone Magistrates' Court, 27.9.67. Bail granted
Legal Aid, 17.12.67
Notting Hill Police Station
Legally advised.

Result

Two year conditional discharge.

Previous convictions

None.

Remarks

Brian had been a voluntary patient in Henderson Hospital, Surrey, recovering from methedrine addiction. He was arrested with a small quantity of cannabis in his possession as he was returning to the hospital one afternoon. As the rules for voluntary patients state that an absence of seventy-

two hours constitutes voluntary dismissal and as his arrest caused him to exceed the seventy-two hours, he felt that he could not return to the hospital and thus had no address. He was not allowed to telephone the hospital from the police station to tell them where he was, or make arrangements for bail. He was kept in the police station overnight and after his court appearance, sent to Brixton. Bail cannot be granted when a person has no fixed address, but he was allowed bail when a friend told the court, on the second remand that Brian could stay with him. Brian would otherwise have spent two months in custody appearing and being remanded every eight days, until the court finally heard the case.

The probation report was favourable and the medical report recommended probation but Brian, who represented himself at the final hearing, was given a conditional discharge for two years.

* * *

Case 15
29.9.67
Ann, 18
Arthur, 23
Roger, 20
Bill, 20
London
Possession of cannabis
Kentish Town Police Station
Clerkenwell Magistrates' Court, 29.9.67, 13.10.67, 19.10.67
Bail granted for Ann
Legal representation. Legal Aid.

Result

Arthur four months' imprisonment, Roger and Bill £30 fine, Ann two years' probation.

Previous convictions

All had previous convictions.

Remarks

The police came to the room that Ann and Arthur were sharing with Roger and Bill. They had a warrant, but as far as Arthur could judge from the brief glimpse he was allowed, the names of the present occupants were not among those on it. It is believed that the warrant was issued for the premises. It is no longer necessary to write the names of police officers on search warrants (D.D.A. 1967). Arthur and Ann were registered addicts and all four denied that the cannabis was theirs and claimed that it was planted.

On 19th October Ann's case could not be heard because she had not seen the probation officer – although she had waited over an hour to make an appointment. This displeased the magistrate who wanted to remand her in custody, but her solicitor made strong representations to the contrary, and she was allowed bail. The others had already been remanded in custody. Roger and Bill would have been allowed bail if they could have found sureties of £100 each, but they found it difficult to carry on with their attempts to trace sureties once they arrived in Ashford. At the hearing, when it was known that Arthur, Ann and Roger were registered addicts, a medical report was thought necessary. Bill was also remanded for a medical report and not allowed bail at his second hearing, although there was no suspicion that he was addicted. His solicitor protested about this, to no avail, and states that no medical report for Bill was forthcoming at the trial.

The probation officer gave Arthur a very bad probation report, and remarked to Ann when she finally had her interview that she had, perhaps, been a little too hard on him. She had said, among other things that he had only just scraped through probation the last time and that he was aimless.

Arthur was brought off heroin in Brixton Hospital but Roger says that he had no medical supervision during his

withdrawal in Ashford Remand Centre. A person's hair is not cut in Ashford, if he is waiting to be tried. But if he has pleaded "guilty" and the magistrate has remanded him for medical or probation reports before sentencing, his hair will be compulsorily cut to the regulation length of short back and sides, even though the magistrate will eventually fine him, as in Roger's case. Objection to the hair cut leads to some form of punishment.

Roger had told the probation officer that Arthur had introduced him to heroin. Arthur had in fact introduced him to the doctor with whom the three were registered. This statement and Arthur's record must have caused the magistrate to regard him with more severity than the others.

Roger's post office savings book was taken from the flat by the police in his absence. His other personal possessions were returned after the case, but he had to call several times at the police station to get them as the officer who had dealt with his case was the only person who could return them to him.

* * *

Case 16

14.11.67
Christine, 39, employed
Trevor, 30, employed
London
Possession LSD (Christine)
Possession 4 amps. methedrine (Trevor)
West End Central Police Station
Bow Street Magistrates' Court
Legal representation. Legal Aid.

Results

Christine two years' probation, Trevor (30) two years' probation on the condition that he went home to stay with his father!

Previous Convictions

None.

Remarks

Christine (married) and Trevor were about to have supper on Sunday 12th November 1967 when several plain clothes policemen and one policewoman with dogs and spectograph, raided their flat. The door was open and they entered without knocking and proceeded to search the flat. They found a bottle containing a small amount of LSD in a drawer. Christine and Trevor were not allowed to eat their supper and were taken to the police station where they were both searched and charged along with five other people whom they did not know. Christine was kept in the station cell until morning, when she appeared in court and was permitted to telephone to find a surety. Her surety arrived after she had left court and so she was taken to Holloway and finally released at 6 p.m. on Monday evening. Trevor was not allowed bail, but we advised Christine to see a solicitor who was able to arrange bail for Trevor.

* * *

Case 17

20.11.67
Thomas, 23, unemployed
Cheltenham
Possession of cannabis
Cheltenham Police Station
Cheltenham Magistrates' Court
Unrepresented.

Result

£50 fine. 3 months' suspended sentence.

Previous Convictions

Attempted burglary June, 1967. £15 fine.

Remarks

The following is an extract from a letter received from Thomas.

"I was served with the accompanying summons this afternoon; it concerns traces (of cannabis) found on three articles after a recent raid on my pad. (Have since been evicted as a result.) The traces were on a knife in the pocket of a suède jacket and on one other article out of a list of 31 suspected articles.

"I don't dispute that traces were probably found but it is the strangeness of the raid which makes me wonder if perhaps I could not contest the charges and plead not guilty.

"The fuzz were all ready in the pad when my wife and I came in; about eight or nine of them and had been there about one hour. The inspector in charge claimed that they were quite within their rights as they had obtained permission from the landlord and a key. . . . They claimed to be quite within their legal rights as they were accompanied by the landlord's appointed agent. On enquiring from the girl who lived upstairs I found out that she had let them in sometime between 2.30 and 3.10 p.m. We did not come in until 3.30 p.m. Wonder is there anything you can do?"

We wrote back to Thomas, explaining that although it must have seemed rather unreasonable for the police to enter his flat in the way that they did, he could do nothing about it as they were within their rights to do so. If the analyst found traces on the knife he would have to plead guilty but as the amount of cannabis found was negligible he would not be dealt with very severely.

We advised him to see a solicitor, and the three months' suspended sentence could be the result of his not doing so.

* * *

Case 18

9.1.68
John, 24
London
Possession of cannabis (0.004 grains)
West Hampstead Police Station
Hampstead Magistrates' Court, £5 "police" bail
Legally represented.

Result

£25 fine.

Previous Convictions

Seven (not all drugs offences).

Remarks

The police had visited John's flat three times in the same week and finally found some minute traces of cannabis in an ashtray. For anyone else it would not have been serious but with seven previous convictions it was difficult to know how the magistrate would react! The police must have been very keen to arrest John, who is coloured, but they delayed charging him until after the analysis had been made. This is correct procedure but is rarely followed in London.

This case illustrates how a coloured man, with several previous convictions, can be harassed and victimised by the police. The prosecution was hardly worth the result.

It is interesting to note that John, though intelligent and articulate, knew very little about court procedure, in spite of the fact that he had appeared in court many times before. This indicates to what extent police can take advantage of a person's ignorance by keeping them unaware of exactly what is happening and why.

* * *

Case 19
13.1.68
Andrew, 21, unemployed
London
Possession of cannabis
Hammersmith Police Station
West London Court, 20.1.68
Legal representation. Legal aid.

Result

Case dismissed.

Previous Convictions

None.

Remarks

Andrew was arrested at his flat and it was alleged by the police that cannabis was found under his pillow. Andrew denied all knowledge of the cannabis. The police searched his flat the previous week and had found nothing. Since then Andrew had stayed at his girl friend's flat. The landlord had given Andrew four days' notice to leave the premises and because of this the defence solicitor implied that some other person could have been responsible for the cannabis.

The magistrate said in judgement that drug cases were analogous to receiving cases and that the onus of proof, to some extent, shifted to the defendant where drugs were found in premises which were in the exclusive control of the defendant, such as his own room. It was for the defendant to give a reasonable explanation in these circumstances for the drugs being in his room or in his possession, and if he did so, it was open to the prosecution to rebut his evidence; in addition, once an explanation which might be reasonable had been given, the onus of proof then switched back to the prosecution. Andrew pleaded not guilty and the case was dismissed.

* * *

Case 20

16.1.68
Mary, 18, unemployed
Tom, 18, Registered Addict
London
Possession of heroin (1 grain)
West End Central Police Station
Bow Street Magistrates' Court
Bail – parents – £50 each
Legal representation. Legal aid.

Results

Tom dismissed – pleaded not guilty. Mary, three years' conditional discharge – pleaded guilty.

Previous Convictions

Mary – none
Tom – yes.

Remarks

Mary and Tom were stopped after they came out of a coffee bar at Leicester Square, where Tom had scored 1 grain of heroin from what the prosecution described as a "known addict". The transaction had taken place in the women's lavatory with money that Tom had given to Mary. She was still carrying the heroin when they were arrested. Throughout, Tom maintained that the heroin was his and that it was all his fault, and that the heroin had been paid for by him, for himself.

They were both remanded on bail of £50. Tom's father stood bail for him but Mary's parents, shocked by the event and worried because she had a younger brother, did not want her at home and therefore did not come forward as sureties. However, after the first week's remand, Release persuaded them to act as sureties on the understanding that

she stayed elsewhere in accommodation to be found by Release and Father Leech of St. Anne's, Soho. A room was found in a flat with some other girls.

At the hearing, Mary pleaded guilty and Tom not guilty. Because of Tom's previous convictions it was submitted that he had never, in fact, been in possession of the heroin. It had been held throughout by Mary, who intended to allow him to have it in small doses. Tom was attending the Charing Cross Clinic and hoped to be cured.

The case against Tom was dismissed on the technical point that he had never been in possession of the heroin. The court noted the fact that he had tried to accept full responsibility and conditionally discharged Mary for three years' taking into account that she had spent a week in custody in Holloway.

* * *

Case 21

6.4.68
Barry, 19, Editor of a community newspaper
Mary, 19, unemployed
Mervyn, 18, unemployed
Paul, 19, unemployed.
London
Barry – possession of cannabis – allowing his premises to be used
Mary – possession of cannabis
Mervyn – possession of cannabis
Paul – possession of cannabis
The charges against 24 others were dropped
Ladbroke Grove Police Station
Marylebone Magistrates' Court, 15.5.68
Sessions, 6.8.68
Legal representation. Legal aid.

Results

Mervyn – Conditional discharge at Inner London Sessions

Paul – £10 fine at Magistrates' Court
Barry – Borstal at Inner London Sessions
Mary – Probation 2 years at Inner London Sessions.

Previous Convictions

Barry – six convictions, one for drugs
Mary – none
Mervyn – one obstruction offence
Paul – none.

Remarks

Barry's flat was raided in April when there were 29 people on the premises. All but one of them, a Russian Orthodox Priest, were arrested and charged with possession of cannabis resin. Only a small amount of cannabis was found in the flat and the charges against 24 of those arrested were dropped at Committal Proceedings five weeks later. Many had spent several weeks in custody because they were unable to find suitable sureties to bail them out. Paul, Barry, Mary and Mervyn were the only ones who were finally charged. Mervyn and Paul were charged with possession of cannabis and pleaded guilty. Barry and Mary were charged with possession of cannabis and for allowing their premises to be used. They pleaded not guilty to possession and when their case was heard at the Inner London Sessions before a jury, they were found not guilty of possession, but guilty of allowing their premises to be used. The case was remanded so that probation and medical reports could be obtained. Mary was allowed bail, but Barry was remanded in custody.

Before the case was heard we had contacted three people who knew Barry very well. One was a psychiatrist and two were priests, and all three had helped Barry with ideas for his newspaper which was beginning to play an important part in the community where it was produced.

These people were character witnesses for Barry when the case was heard, but their evidence did not persuade the

judge that he should follow any other course than that which the probation officer had recommended. The probation officer's report to the judge recommended that Barry would benefit from a period of borstal training.

Mary was put on probation for two years and Barry was sentenced to borstal, which meant that he would be in the overcrowded Borstal Allocation Wing of Wormwood Scrubs Prison for many months before he was actually sent to a borstal.

* * *

Case 22

12.6.68
James, 17, unemployed
Possession of ½ oz. cannabis
Oxford Magistrates' Court
Legal representation.

Result

£30 fine.

Previous Convictions

Petty larceny.

Remarks

James had not seen his mother since he was 11 years old, when he was sent to a mental hospital. He was there for three years, often in wards with adult patients, and since then had spent most of his life in institutions and hospitals. Because of this he has had no formal education.

When he was arrested for being in possession of cannabis resin, he was living in Oxford and using a considerable amount of methedrine. While he was on bail it was impossible to persuade him to accept any form of treatment, largely because of his previous experience in psychiatric hospitals. His probation officer was sure that he would receive

some form of sentence, and made arrangements for him to be accepted at one particular borstal, if the need arose. However, when James appeared before the magistrate, the probation officer submitted that if he were to be institutionalised again there would be little hope of his ever being absorbed into the community.

The magistrate fined James £30 and told him to get a job so that he could pay the fine.

Two weeks later we heard that James was in Ashford Remand Centre for causing an affray. We wrote, telling him how to apply for legal aid but we received no reply. We heard nothing for two weeks until James walked into our office after being fined £5 at Bow Street Magistrates' Court. He then told us that "the affray" he had caused was at Treatment Centre when the doctor refused to prescribe him any methedrine. James made "a fuss" and the doctor called the police. We also discovered that the reason he had not applied for legal aid was because he could not write and was too ashamed to ask the Welfare Officer at Ashford for advice.

However, while in custody James had been withdrawn from methedrine. He was in a much better state of health and we were able to arrange for him to receive regular treatment with the same doctor at the Treatment Centre who had called the police.

We helped him get a job and find a room and he came into the office every week with the money to pay off his fines.

* * *

CHAPTER FOUR

RELEASE STATISTICS 1968

We have found it a little difficult to follow some of our cases right through to the end, especially if they are straightforward cannabis offences, as people tend not to let us know their final results. This could mean that in the majority of cases they are satisfactory, but at the time of going to press we are helping with the appeals of two people, one who was sentenced to 30 months' imprisonment and another to 5 years.

Month	*No. of cases*	*Female*	*Male*	*Cannabis Offences*	*Other Offences*	*Known Results*
Jan.	15	2	13	13	2	2 dismissed 6 fines (average £40) 3 suspended sentences 1 probation 1 prison sentence
Feb.	25	9	16	17	8	5 dismissed 7 fines (average £35) 3 suspended sentences 3 probation 4 conditional discharges
March	31	6	25	26	5	6 dismissed 10 fines (average £50) 1 suspended sentence 3 conditional discharges
April	51	10	41	34	17	23 dismissed 16 fines (average £50) 5 suspended sentences 1 probation 1 prison sentence 2 conditional discharges
May	79	5	74	52	27	3 dismissed 31 fines (average £40) 11 suspended sentences 13 probation 2 borstal 5 conditional discharges
June	66	14	52	40	26	8 dismissed 29 fines (average £35) 9 suspended sentences 4 probation 10 conditional discharges

Month	*No. of cases*	*Female*	*Male*	*Cannabis Offences*	*Other Offences*	*Known Results*
July	41	11	30	21	20	5 dismissed 15 fines (average £40) 7 suspended sentences 3 probation 9 conditional discharges
Aug.	37	5	32	17	20	3 dismissed 14 fines (average £30) 2 suspended sentences 2 probation 11 conditional discharges
Sept.	54	6	48	29	25	5 dismissed 17 fines (average £35) 5 suspended sentences 4 probation 2 prison sentences 11 conditional discharges
Oct.	62	11	51	30	[illegible]	6 dismissed 26 fines (average £50) 9 suspended sentences 5 probation 9 conditional discharges
Nov.	81	8	73	47	34	6 dismissed 36 fines (average £45) 4 suspended sentences 7 probation 2 prison sentences 13 conditional discharges
Dec.	61	13	48	40	21	9 dismissed 16 fines (average £35) 7 probation 8 conditional discharges

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This, the best collection on the subject, is unfortunately not available in this country, although a British edition is expected from Panther in 1969.

3. *Selected Scientific Papers on Cannabis*

ALLENTUCK, S. & BOWMAN, K. M. *Amer. J. Psychiat.* 1942, 99,

248, "Psychiatric Aspects of Marihuana Intoxication", reprinted in SOLOMON, q.v.
The physical and psychological effects of cannabis are described and the ideas of "cannabis psychosis" and "escalation" to opiates discussed and rejected.
BECKER, H. S. "Outsiders: Studies in the Sociology of Deviance", Free Press, New York, 1963, and paperback 1966. Part also in: –
BECKER, H. S. *Amer. J. Sociol.* 1953, 59, 235, "Becoming a Marihuana User".
Discusses cannabis use from a sociologist's point of view.
CARLINI, E. A. & KRAMER, C. *Psychopharmacologia* 1965, 7, 175, "Effects of *C. sativa* (Marihuana) on Maze Performance of the Rat".
Cannabis was found to improve the maze-learning ability of the rat.
EDWARDS, G. *The Practitioner* 1968 (Feb.), "The Problem of Cannabis Dependence".
The "cannabis psychosis" theory is discussed.
FRYER, P. *Encounter* 1967, 29, 4 (October), "A Map of the Underground".
Discusses the London "scene" of 1967, with special reference to cannabis use.
GAUTIER, T. "Le Club des Haschischins", Paris, 1843. Translation in SOLOMON, q.v.
One of a number of nineteenth century literary accounts of the cannabis experience.
KABELIK, J., *et al. U.N. Bulletin on Narcotics* 1960, 12, 3, 5, "Cannabis as a Medicament".
Discusses the recently-discovered antibiotic effects of cannabis preparations.
LAGUARDIA REPORT, i.e. WALLACE, G., ed. "The Marihuana Problem in the City of New York; Sociological, Medical, Psychological and Pharmacological Studies", Cattell Press, Lancaster, Pa., 1944. Part also in SOLOMON, q.v.
This famous report caused great controversy by suggesting that cannabis was not as dangerous as had been presumed.
MECHOULAM, R. & GAONI, Y. *Fortschr. d. Chem. Org. Naturst.* 1967, 175, "Recent advances in the chemistry of hashish".
A long review article on the extensive work of Mechoulam's team on the chemistry of cannabis, including the synthesis of the cannabinols.
MORAES ANDRADE, O. *U.N. Bulletin on Narcotics* 1964, 16, 4,

23, "The criminogenic action of cannabis and narcotics".
MUNCH, J. C. *U.N. Bulletin on Narcotics* 1966, 18, 2, 15, "Marihuana & Crime".
These papers should be taken together. Munch supports, and Andrade denies the theory that marihuana causes crime. Most authorities agree with Andrade.
MURPHY, H. B. M. *U.N. Bulletin on Narcotics* 1963, 15, 1, 15, "The Cannabis Habit".
A thorough review of the scientific literature. Concludes that cannabis is not addictive, does not cause crime, and has no physical ill-effects.
NICKOLLS, L. C. *Analyst* 1936, 61, 604, "Notes on Beam's Test for Hashish".
Describes what became the standard forensic test for cannabis.
REYNOLDS, J. R. *Lancet* 1890, i, 637, "Therepeutical Uses and Toxic Effects of *Cannabis indica*".
A review of therapeutic uses in the nineteenth century, by a Physician in Ordinary to Queen Victoria.
ROLLS, E. J. & STAFFORD-CLARK, D. *Guy's Hosp. Repts.* 1954, 103, 330, "Depersonalisation treated by *Cannabis indica* and Psychotherapy".
Describes a dramatic cure obtained by the use of Tincture of Cannabis.
SOUTHERN, T. *Evergreen Review*, "Red-dirt Marihuana". Also in SOLOMON, q.v.
A short story by a modern author on a marihuana theme.
WEIL, A. T., ZINBERG, N. E. & NELSEN, J. M. *Science* 1968, 162, 1234
also reported in ZINBERG, N. E. & WEIL, A. T. *New Society* 1969, 13, 329, 84 (Jan. 16), "Cannabis: the first controlled experiment".
A very thorough and well thought out study of the "subjective" effects of cannabis.
WOLSTENHOLME, G. E. W. & KNIGHT, J. *Ciba Study Group No.* 21, "Hashish: Its Chemistry and Pharmacology", J. & A. Churchill, London, 1964.
Contains much recent pharmacological work.

4. *Official Attitudes to Cannabis*

The earliest contact between the British Government and cannabis came, of course, in India. The result was: –

REPORT OF THE INDIAN HEMP DRUGS COMMISSION, 7 vols., Simla, 1897.

This vast work probably remains even today the most thorough study ever made of the effects of cannabis. The Commission found that moderate cannabis use has no ill effects.
In spite of this, cannabis use was, under League of Nations pressure, made illegal in Great Britain in 1925 (although it remained legal throughout India until 1948, and is still legal in some states today).
British law on cannabis, as on other "Dangerous Drugs", is based largely on international models, notably the –
SINGLE CONVENTION ON NARCOTIC DRUGS U.N., New York, 1961.
The current British legislation is the –
DANGEROUS DRUGS ACT 1965 (cap. 15)
supplemented by the –
DANGEROUS DRUGS (No. 2) REGULATIONS 1964 (S.I. 1964/1811)
and the –
DANGEROUS DRUGS ACT 1967 (cap. 82).
The Government set up a Sub-committee of the Standing Advisory Committee on Drug Dependence under the chairmanship of Lady WOOTTON OF ABINGER in April 1967, to investigate cannabis and LSD use and to make recommendations. The sub-committee seem to have been influenced by two publications which appeared during 1967:
SOMA. *The Law against Marijuana* . . . (Advertisement), *The Times*, July 24 1967.
NATIONAL COUNCIL FOR CIVIL LIBERTIES. "Drugs and Civil Liberties", 1967.
Both expressed considerable disquiet with the working of the current law.
THE WOOTTON REPORT, i.e. *Cannabis*, Report by the Advisory Committee on Drug Dependence, H.M.S.O., London, 1968 (7/6).
This report recommended that the penalties for the use of cannabis should be substantially reduced. The Home Secretary, Mr. James Callaghan, rejected these recommendations, giving his reasons in a Commons debate. See: –
HANSARD, Commons, January 27th 1969, col. 947.
At the same time the World Health Organisation published its views: –
SEVENTEENTH REPORT OF THE EXPERT COMMITTEE ON DRUGS LIABLE TO PRODUCE DEPENDENCE, Tech. Repts. Ser., 1969, WHO, Geneva.

This report reasserted the view that cannabis ought to be strictly controlled, while admitting that the optimum control measures might not be the same as those for opiates, as they are in the Single Convention and in British law.

The Wootton Committee continues to sit at the time of writing (February 1969) for the purpose of producing a report on LSD, while a new committee, under the chairmanship of Mr. W. F. DEEDES, is studying powers of search and arrest under the Dangerous Drugs Act 1967.

* * *

AFTERWORD

to the

RELEASE REPORT

by

Michael Schofield

Member of the Wootton Committee on Cannabis and the Deedes Committee on Powers of Arrest and Search

AFTERWORD

The events you have been reading about are being done in our name for our benefit. This is not the report of a terrible scandal – corruption, police brutality, gross miscarriage of justice. It is a quieter, more insidious kind of injustice; bending the law a little bit in one case, forgetting a regulation in a second, being too busy to attend to someone's legitimate request in a third. These are not the acts of wicked people. But if you are not surprised and dismayed by this report, you must be under the influence of a very powerful drug – complacency.

Is it all true? I cannot vouch for every word, nor can Caroline or Rufus. They were too busy helping a frightened boy or girl in a bewildering predicament to stop and carry out a cross-examination. But as I read the report, letters, and cases, the situations are so similar to others I have known and the statements ring so true that I have no doubt that the essential facts are correct. Even in Section II when a few addicts propound theories of drug taking which I would wish to query, can you doubt that what they say is, for them, absolutely and unreservedly true?

It is difficult for many people to imagine what it is like to be searched and arrested, especially late at night. The swaggering self-confidence of the young, defiantly asserting their independence, is an outer shell which is tough, believe me. But it can collapse at the sight of five policemen and an Alsatian – "frightened little children lost in a big, dark, cold uncaring world" as Tony wrote (on page 59). First offenders are confused and afraid when they run against the law and this is especially true of drug users when they have come down in the cold light of morning.

The report notes the importance of being middle-class if

you are going to be arrested (page 27). It is a sad fact that the people who most need the excellent advice offered in Section I will probably never read it. Books are not a form of communication used by the non-academic early school leavers and so it is up to us to let them know that they have rights even when they are being searched and arrested.

One thing the report makes clear is that, inarticulate or not, it is essential to have a solicitor. This is a doleful comment on our legal system. If you are walking down the street and a policeman arrests you, even if you are absolutely innocent, it seems that the only way you can be sure of staying out of prison is to employ a solicitor. And you may not get legal aid if the magistrate does not like the look of you.

Not that there is any guarantee that your defending lawyer will be helpful. There are examples in this report and I can think of others, especially where sexual offenders are before the court, when the defending lawyer has been unsympathetic and incompetent. One of the best achievements of RELEASE has been to build up a panel of lawyers who are skilled in the particular problems of drug cases.

The defending lawyer is always reluctant to allege planting by the police. It is a very difficult subject. Some magistrates assume that an accusation against the police is the last resort of a criminal who cannot think of any other excuse. I have met honest policemen who will admit that planting does occur on rare occasions, saying that even in the police force there are bound to be some bad characters. If this explanation is satisfactory to you and if you are content to allow a few innocent people to be planted in the interests of catching the drug addicts and traffickers, then I hope the next innocent person to be planted is you.

But I would like to put more emphasis on the other shortcomings in police methods revealed in this report. The unofficial actions which the experienced criminal can counter, but which confuse and depress the young drug offender to

the extent that he really does not get the justice he deserves. The police station where the messages never get through and the telephone is never free: The policemen who obstruct the search for sureties even after the magistrate has granted bail: The untrue promises of "We'll see you get off lightly if you tell us what we want to know": The one nice and one nasty interrogator (described on page 19), such a common trick that I think it must be part of a policeman's training.

Of course it is to be expected that the police are anxious to make the charge stick once they have taken a man in. But it is an attitude that can be taken too far, especially when it is used to defend rough justice such as – "Well, maybe he hasn't actually got a drug on him this time, but we know he's an addict."

You may protest that the law is already too heavily weighted on the side of the criminal and gives him the benefit of the doubt. In fact the procedural maze of our legal system traps and punishes the small-time offender without catching the big-time crook who knows how to demand and get his rights. This is particularly true of those who are remanded in custody and those who are granted bail, as this report so clearly shows.

Of course the law cannot solve the problem of drug abuse because it is primarily a medical and social problem. Some doctors say heroin addiction should be treated "just like any other epidemic" and demand strong powers to compel the patient to stay in a hospital. But most social workers would not agree that physical withdrawal is not even halfway towards a cure. The real problem for the addict is to find a satisfactory role in the community and he is not going to find this in an institution. How can anyone doubt the psychological problems of the addict after reading about intentions which have more reality than acts, the sexual element which comes into the act of fixing and the other very real insights in Section II of this report. These are the words of

articulate junkies, but nearly all drug abusers have psychological problems just as complex and just as acute.

Do not be misled by the statistics on page 109. RELEASE is best known and has been most influential in London. In provincial towns the sentences for drug offences tend to be more severe. The figures of "known results" given in the last column are a credit to RELEASE, not a true picture of the real situation.

Nevertheless I hope we have at last reached the lowest point of the drug scare and there will now be some improvement as the witch hunt dies. (Who will be the next scapegoat?) The work of enlightened social workers and the people at RELEASE is beginning to have some effect. Some magistrates have shown a sensible awareness of the problem and some have volunteered to go on training courses. The rational arguments in the Wootton Report will convince some people, while others will react against the reception of the report by the Home Secretary and his shadow, both of whom responded with a display of emotion and prejudice which is sad as well as shameful.

But there is a long way to go. I meet many wonderful people whose life is spent in the service of others, dedicated to social welfare, taking away misery and adding to the sum of human happiness. And yet if someone uses a chemical crutch to find his own deeper more private happiness, these well-intentioned people are horrified. They will do everything they can to prevent the use of drugs, assuming that the user will only hurt himself and end up on the scrap heap like the meths drinker. I am not so sure. I believe some will inevitably abuse drugs, and many will not. But even when we know a drug is harmful, we must use persuasion in the same way as we attempt to dissuade people from smoking tobacco. We should hesitate before we arrest the drug user and lock him up.

We badly need answers to the questions that Caroline and Rufus ask. And I have another question. Why has it been

left to them and other people in the underground? The way some adults revile the young, particularly those in the underground, the very existence of this report should be a surprise. I hope these people will learn that there is much activity and much useful work going on among the young, and I am not talking about the Duke of Edinburgh's award scheme. This report has not only demonstrated the inadequacies of the system, it has also shown that there is no other channel for pointing out these faults. Furthermore one should be ashamed that it has been necessary for the young people in the underground to organise their own self-help organisation.

Now that they have shown us what is wrong, it is up to us, the older adults with more power and influence, to put it right. And if we don't, we shall deserve all the trouble we shall undoubtedly get.

* * *

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RELEASE is an organisation founded two years ago to deal with one of Britain's most urgent social problems—The arrest and imprisonment of young people accused of violating the Dangerous Drugs Act of 1965.

This report is an analysis of the work done by the organisation since it was founded, compiled from the detailed records of all cases that Release has dealt with.

The first part provides a general outline of today's 'drug's scene'; the methods used by the police to enforce the law; and the legal remedies available to those who have been arrested. The remaining sections contain a wide selection of individual case histories, a number of revealing interviews with drug users and a file of letters received by the authors from the people that they have tried to help.

Michael Schofield, a member of the Government Advisory Committee on Drug Dependence which reported on Cannabis, has contributed an Afterword.

This report will be essential reading for everyone who wishes to understand more about the controversy surrounding the use of drugs and the problems facing hundreds of young people who, in the eyes of the law, are regarded as criminals.

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